

HON'BLE SRI JUSTICE A.V. SSHA SAI

WRIT PETITION No.11065 of 2017

ORDER:

Heard Sri B. Chandrasekhar, learned counsel for the petitioner, as well as the learned Government Pleader for Panchayat Raj appearing for respondent No.1, Sri Ravi Cheemalapati, learned Standing Counsel appearing for respondent No.2, learned Government Pleader for Revenue appearing for respondent No.3, and Sri G. Anand Kumar, learned counsel appearing for respondent No.4.

2. Earlier, the petitioner herein approached this Court by way of filing W.P.No.24050 of 2016 questioning the action of the Tahsildar and the Mandal Surveyor in not conducting survey of Punta/Pathway situated in between Sy.Nos.37 and 38 of Field No.2 of Ajjumuru Village, Akividu Mandal, West Godavari District. This Court disposed of the said writ petition by order dated 01.08.2016, directing respondent Nos.2 and 3 therein to cause survey of the aforesaid Punta for the purpose of demarcation by considering the petitioner's representation after collecting necessary charges therefor within a period of eight weeks. Pursuant to the said order, survey was conducted and the Tahsildar, Akividu, gave an endorsement in Rc.No.901/2016/DT, dated 02.12.2016, informing that the stones were planted by confirming the boundaries of Punta, while indicating therein that in the event of there being any objections as to the same, the same

could be brought to the notice of the Gram Panchayat and also to the Deputy Inspector of Survey. Pursuant to the said endorsement, the petitioner herein got issued a legal notice to the Gram Panchayat on 07.03.2017 pointing out certain aspects with regard to the alleged encroachments.

3. The only grievance of the petitioner in the present writ petition is that the 2nd respondent Gram Panchayat is not responding to the said legal notice got issued by him. According to the learned counsel for the 4th respondent, there is no encroachment made by the 4th respondent and the allegations of the petitioner are baseless.

4. Having heard learned counsel for the respective parties, this Court is of the considered opinion that ends of justice would be served if the 2nd respondent is directed to take appropriate action on the legal notice dated 17.03.2017 got issued by the petitioner and pass appropriate orders in accordance with law, after giving notice and opportunity of hearing to all the stake holders, within a period of one month from the date of receipt of a copy of this order.

5. As a sequel, Miscellaneous Petitions pending consideration, if any, in the Writ Petition shall stand closed. No order as to costs.

JUSTICE A.V. SESA SAI

26.04.2017.
Msr

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