

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.1367 of 2011

ORDER:

Neither is Sri B.Venu Madhav, Learned Counsel for the petitioners, present nor is there any representation on his behalf. The relief sought for, in this Writ Petition, is to declare the action of the respondents, in demolishing the compound wall, as arbitrary and illegal.

While the Writ Petition was admitted on 28.01.2011, no interim order was passed. In the counter-affidavit, filed by the Tahsildar, it is stated that a path way, covering an extent of Ac.0.06 cents, was passing adjacent to the petitioners land; the petitioners had started construction of a compound wall unauthorisedly; he had caused obstruction to the passage which lead to the B.C. Girls Hostel, and to the adjacent fields; after conducting physical verification of the subject property, and basing on the requisition given by the Warden of the B.C. Girls Hostel, the 2nd respondent had measured the land with the assistance of the Mandal Survey; he noticed that the petitioners had encroached upon an extent of Ac.0.06 cents of Government Poramboke land; inspite of instructions having been issued, for demolition of the compound wall in the Government's land, the petitioners turned a deaf ear; the unauthorized compound wall has since been demolished by the villagers voluntarily; and the path way was developed with NREGS funds prior to demolition of the compound wall.

It is evident, from the counter-affidavit, that the petitioners had constructed a compound wall across a pathway; since such construction was illegal, the compound wall was demolished; and the

land, on which a road was laid, is said to be government land. At this length of time, more than six years having elapsed since the Writ Petition was filed, I see no reason to interfere with the action of the respondents in the laying road.

The Writ Petition fails and is, accordingly, dismissed. The Miscellaneous Petitions pending, if any, shall also stand dismissed. No order as to costs.

RAMESH RANGANATHAN, ACJ.

Date:08.12.2017.
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