

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.2097 of 2017

ORDER:

Assailing the alleged action of 1st respondent-Gram panchayat in obstructing the dairy farming business of the petitioner in premises bearing house No.6-74/24, Puppalaguda Village, Rajendranagar Mandal, Ranga Reddy District, this writ petition is filed.

Heard the learned counsel for the petitioner and Sri G.Narender Reddy, learned Standing Counsel for the 1st respondent.

According to the petitioner, she is a permanent resident of Puppalguda Village, Rajendranagar Mandal, Ranga Reddy District. It is further averred in the affidavit filed in support of the writ petition that she acquired 375 square yards of plot in the year 2003 and took permission from the gram panchayat for construction of shed for buffalos and at present, she owns 20 buffalos and out of which 12 to 13 buffalos are milk yielding. It is further stated that the petitioner is surviving with dairy business.

The sum and substance of the case of the petitioner in the present writ petition is that the 1st respondent-Gram panchayat, without issuing any notice and without giving any opportunity of submitting explanation, is obstructing the petitioner and her people from carrying on the dairy business.

When the matter is called, the notice, dated 13.01.2017, issued by the 1st respondent-Gram panchayat, asking the petitioner to remove the dairy unit within seven days is placed on record.

Since it is the case of the petitioner herein in this writ petition that without issuing any show-cause notice and opportunity, the 1st respondent-Gram panchayat is resorting to remove the dairy in the

said premises, this Court deems it appropriate to dispose of the writ petition by directing that the said notice dated 13.01.2017 be treated as show-cause notice and by permitting the petitioner to submit the explanation for the same for consideration of the gram panchayat in accordance with law.

For the aforesaid reasons, this Writ Petition is disposed of permitting the petitioner herein to submit explanation to the notice dated 13.01.2017 issued by the 1st respondent-Gram panchayat within a period of one month from the date of receipt of a copy of this order by treating the same as show-cause notice and if any such explanation is submitted, within the time stipulated, the same be considered and appropriate orders be passed in accordance with law after giving notice and opportunity to the petitioner herein within a period of two months thereafter. Till such exercise attains finality, the interim order dated 20.01.2016 passed by this Court in the present writ petition directing the respondents not to interfere with the farming activity of the petitioner shall continue.

As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

A.V. SESA SAI, J

24th January, 2017
ssp