

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 26560 of 2017

ORDER:

Heard learned counsel for the petitioners and learned Standing Counsel for respondent No.10.

This writ petition is filed challenging the action of the respondents in not considering the representation, dated 24.03.2015, submitted by the petitioner seeking protection of the public land which is retained for the purpose of park, recreation places and other purposes in DTCPLP No.123/1989 layout in Survey Nos.93 to 96 and 98/1P of Kranthi Nagar, Tangellamudi Village, Eluru Mandal, West Godavari District.

Respondent No.10 filed a counter-affidavit stating as follows:

“It is submitted that the averments so made in para 6 of the affidavit filed in support of the writ petition are all untenable. It is submitted that as stated above, this respondent will immediately put law into motion and take steps for removing the encroachments if any.

It is submitted that, as stated above, the petitioners did not bring to the notice of this respondent after this respondent took charge. It is submitted that even according to the averments they have submitted only one representation that too in the month of March, 2015. The petitioners never brought the issue before this respondent knowing pretty well that this respondent joined as Secretary to the subject Gram Panchayat in the month of November, 2016. Because the issue is not within the knowledge of this respondent, this respondent could not take steps in this regard.”

In view of the above, the writ petition is disposed of directing respondent No.10 to take appropriate steps in accordance with law for removing the encroachments, if any, within a period of three months from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:12.09.2017

kdl

