

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

W.P.No.34485 of 2017

ORDER:

Heard the learned counsel for the petitioner, learned Government Pleader for Respondents 1 to 4 and Sri N.Praveen Kumar, learned Standing Counsel for Respondent No.5.

2. The sum and substance of the case of the petitioner in the present writ petition is that by encroaching upon the private land of the petitioner herein, the Respondent authorities are going ahead with the construction of overhead water tank at Shivalayam Street, Miryalaguda Town. It is also the submission of the learned counsel for the petitioner that if the said construction of overhead tank is permitted on the subject land, the petitioner will not have any access to his land. It is also averred in the affidavit filed in support of the writ petition that the petitioner has proposed to give 750 sq.yards of his land in the event of Respondents leaving front portion i.e. one side of petitioner's property. It is also the submission of the learned counsel that in fact the petitioner herein approached the District Collector and apprised him of the ground realities.

3. Today, when the matter is taken up, it is submitted by the learned counsel for the petitioner that the petitioner will approach the District Collector, who is the authority concerned with a representation, explaining all the ground realities and the same may be directed to be considered by the District Collector, in accordance with law.

4. Having heard the learned counsel for the petitioner and the learned counsel appearing for the Respondents, this Court deems it appropriate to

permit the petitioner herein to submit representation to the 2nd Respondent-District Collector within a period of three (3) days from the date of receipt of this order and if any such representation is made within the time stipulated, the same may be considered and appropriate orders be passed, in accordance with law, after hearing the petitioner herein. Till the said exercise is completed, status quo with regard to the construction of overhead tank shall be maintained. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 13.10.2017

Note:
Issue C.C. today.
B/o
DA



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