

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.38049 OF 2017

O R D E R :

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in resorting to demolish the petitioner's house alleging encroachment on drainage site, situated in Plot No.2, H.No.5-124, R.S.No.182, 0.3 cents of Palakollu Rural Village, Palakollu Mandal, West Godavari District, contrary to the provisions of A.P.Panchayat Raj Act and the Rules made there under and for a consequential direction to the respondents to desist themselves from proceeding with the demolition of the said building.

Heard learned counsel for the petitioner.

Sri Ravi Cheemalapati, learned Standing Counsel for the 5th respondent produced written instructions stating that the earlier Panchayat Secretary has issued notice to the petitioner, but no action has been taken. He further submits that the petitioner has occupied the drain and it is getting very difficult to clean the drain and also the drain is getting blocked very frequently. It is also stated that they will follow due process of law if they want to take any action against the petitioner.

In view of the above, the writ petition is disposed of directing the 5th respondent not to demolish the structures of

the petitioner, without following due process of law. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

05.12.2017
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