

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.43692 OF 2017

O R D E R

The case of the petitioner is that in the year 1998 she has been permitted by the then Sarpach of Nettempadu village, to establish a petty shop in an extent of 4 sq. yards on the bund at Nettempadu village, Dharor mandal, Mahaboobnagar District and that electricity connection has been provided to the said shop and that she has been paying bills regularly. She has also been paying taxes to Gram Panchayat. The 3rd respondent – Gram Panchayat represented by its Panchayat Secretary, issued notice dated 29.11.2017 requiring her to submit relevant documents. Accordingly she submitted the electricity bills and tax receipts to show her possession. Again the 3rd respondent issued the impugned notice dated 15.12.2017 directing her to submit documents, with a default clause for taking action. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner, Standing Counsel for respondents 3 and 4 – Gram Panchayat and Government Pleader for Panchayat Raj.

The admitted fact on record is that the petitioner has been carrying on business in the Government land. Her claim is that the then Sarpanch has permitted her to establish the shop in the subject land. By the impugned order, she has been asked to produce the documents in support of her claim. As per the submission of the learned Standing Counsel for Gram Panchayat, petitioner has not produced any document. In these circumstances, the petitioner cannot have legal right to continue

in possession of Government land. In compliance of principles of natural justice, the 3rd respondent had earlier issued a notice dated 29.11.2017. As the petitioner failed to produce any document in support of her claim, she has again been issued with the present impugned notice with a default clause. In these circumstances, I do not find any ground to entertain the writ petition and the same is accordingly dismissed.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:21—12—2017

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