

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

W.P.No.257 of 2018

ORDER:

Heard the learned counsel for the petitioner, learned Government Pleader for Respondents 1 to 3, Sri Ravi Cheemalapati for Respondent No.4.

2. Counter affidavit has been filed by Respondent No.4-Gram Panchayat. Paragraph 7 of the said counter affidavit reads as follows:

“It is submitted that the averments so made in para 5 of the affidavit filed in support of the writ petition are all untenable. In this regard, it is submitted that the said encroachments are in existence since decades. Pursuant to receiving the complaint, this respondent made a request to the Tahsildar to survey the land and accordingly survey was conducted and given a report duly mentioning the encroachments. The surveyor has issued a report to the Tahsildar along with field measurement sketch. The same was given to this respondent by the Tahsildar. (The said surveyor report and the notices are herewith filed and the same may be read as part and parcel of this affidavit). Pursuant to the same a notice dated 9.2.2018 was issued to the persons who have raised houses with AC sheets. The said persons have received the notices by putting signature on the copy of the notice duly acknowledging the receipt of the same. This respondent will follow further course of law in this regard. All these facts are very much known to the petitioners herein and inspite of it they filed this present writ petition”.

3. Having regard to the averments made by the 4th respondent in the counter affidavit, this Court deems it appropriate to dispose of the writ petition with a direction to the Respondents to take further action pursuant to the notice dated 9.2.2018.

4. The writ petition is accordingly disposed of. 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: 19.3.2018
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W.P.No.4423 of 2018

19.3.2018

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