

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.1900 of 2018

ORDER:

Stating that petitioner had made constructions without there being any sanctioned plan occupying the canal, Respondent No.3 – Secretary, Dowleswaram Gram Panchayat, Rajahmundry Rural, East Godavari, issued a notice, dated 10.01.2018 asking her to submit the objections, if any, within three days from the date of receipt thereof.

Learned counsel for the petitioner submits that the petitioner came to be given a house-site of 100 sq.yards on payment of market value vide proceedings, dated 11.02.2008 and constructions have been made after obtaining permission from the Gram Panchayat. He also submits that if at all the petitioner's property is required for any public purpose, the same can be acquired only by following due process of law.

Learned Standing Counsel for Dowleswaram Gram Panchayat submits that the impugned notice has been issued only for marking and in response to the same, the petitioner can as well raise objections which shall be considered in accordance with law.

Considering the respective submissions of the learned counsel and in view of the fact that the challenge in the present Writ Petition is only with respect to a notice, this Writ Petition is disposed of by giving liberty to the petitioner to put forward all her objections, which shall be considered by respondent No.3. It is made clear that without considering her objections and without following due process of law, the property of the petitioner shall not be interfered with in any manner.

Miscellaneous Petitions, if any pending shall stand closed.
There shall be no order as to costs.

24th JANUARY, 2018.

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CHALLA KODANDA RAM, J

