

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

W.P.No.9458 of 2018

ORDER:

Heard Sri S.Subba Reddy, learned counsel for the petitioners and Sri Ravi Cheemalapati, learned Standing Counsel for 4th respondent-Gram Panchayat.

2. According to the petitioners, 1st petitioner is the absolute owner and possessor of land to an extent of 242 sq.yards in R.S.No.79/12 of Krishnayapalem village, Tadepalligudem mandal, West Godavari district. It is further submitted that he purchased land admeasuring 484 sq.yards in S.No.79/12 under a registered sale deed dated 28.8.2004 from one Smt.Chinta Sundara Manikyam for consideration and the said Chinta Sundara Manikyam got the property by way of registered settlement No.1866/1987. It is further stated that out of the total extent of land purchased by the petitioner, she sold the land admeasuring 242.22 sq.yards on the western side part to one Sri Paila Joseph under a registered sale deed dated 30.5.2015 for consideration and the said Vendee constructed RCC building and a cattle shed in the land of the petitioner to keep the buffaloes. The Panchayat Secretary of 4th respondent issued a notice dated 7.3.2018, addressed to the 2nd petitioner, asking to vacate the said land on the ground that the petitioners encroached the said land. It is also brought to the notice of this Court that in response to the said notice, petitioners herein got issued a reply notice dated 14.3.2018. The grievance of the petitioner in the present writ petition is that without considering the said reply notice, the 4th respondent Gram Panchayat is actively proceeding with the process of evicting the petitioners from the subject land.

4. On instructions, Sri Ravi Cheemalapati, learned counsel for 4th respondent Gram Panchayat stated that the said reply notice dated 14.3.2018 sent by the petitioner through their counsel will be verified and appropriate action will be taken strictly in accordance with law.

5. Recording the said submission, the writ petition is disposed of, directing the 4th respondent Gram Panchayat to consider the contents of the reply legal notice dated 14.3.2018 got issued by the petitioners and pass appropriate orders after hearing the petitioners. Till the said exercise attains finality, Statusquo as on today with regard to subject property shall be maintained. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date: 21.3.2018
DA



A.V.SESHA SAI, J



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