

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.22943 OF 2017

ORDER:

Heard Sri Siva Bhami Reddy, learned counsel for the petitioner, and Sri Ravi Cheemalapati, learned Standing Counsel appearing for respondent No.3.

2. The grievance of the petitioner precisely in the present writ petition is the inaction on the part of respondent No.3 Gram Panchayat in taking action on the complaint said to have been made by the petitioner herein for removal of encroachment said to have been made by respondent No.4 on public road and construction of the building without any approved plan in Visakha Dairy Veedi, T.Sirasapalli Village, Munagapaka Mandal, Visakhapatnam District.

3. A counter-affidavit deposited by the Panchayat Secretary of respondent No.3 Gram Panchayat is filed wherein it is stated that respondent No.4 constructed a house in the year 2007 itself and the petitioner and some other persons have made a complaint/representation to the Gram Panchayat on 01.06.2017 about the subject issue. Respondent No.3 issued three notices, dated 03.06.2017, 17.06.2017 and 27.06.2017 respectively. It is further stated that a request was made to the Tahsildar to survey the subject land *vide* letter, dated 28.07.2017. The counter further says that the Tahsildar informed that as and when a new surveyor comes and joins, he would depute him for the survey and once it is surveyed, necessary action would be taken against respondent No.4 as per law.

4. At the hearing, it is submitted by the learned counsel for the petitioner that now the surveyor conducted survey and submitted a report also, as such, necessary direction may be issued to the respondent Gram Panchayat to take further action in terms of the report.

5. This Court considers the said request as reasonable and genuine.

6. For the aforesaid reasons, the Writ Petition is disposed of, directing respondent No.3/Gram Panchayat, T.Sirasapalli, Munagapaka Mandal, Visakhapatnam District to take appropriate consequential action pursuant to the report of the surveyor said to have been submitted within a period of two (2) months from the date of receipt of a copy of this order. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 02.01.2018
AMD

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