

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO. 39681 OF 2018

ORDER:

It is the case of the petitioner that respondent Nos. 5 to 9 are proposing to make construction in Bandar Puntha in Undi village. The said Bandar Puntha is being used from time immemorial by the petitioners and other villagers for ingress and egress to their agricultural lands. If the respondent Nos. 5 to 9 are allowed to make constructions on the said Puntha, the petitioners would be deprived of their ingress and egress to their agricultural lands and it would also cause enormous hindrance to the free flow of the traffic. In those circumstances, petitioners assert that they have made representations to respondent Nos. 2 to 4 and as a matter of fact respondent No.4 vide his endorsement dated 1.7.2017 had taken certain preliminary steps to prevent the encroachments. In those circumstances, petitioners pray that a direction be issued to the respondents to take appropriate action in accordance with law.

2. Having regard to the limited prayer of the petitioners, this Writ Petition is disposed of with a direction to the respondent authorities to consider the representation of the petitioners and take appropriate action in accordance with law.

3. It is also made clear that filing of the Writ Petition by the petitioners shall not deprive them of their right to seek appropriate remedy in the appropriate Civil Court by seeking appropriate injunctive relief to enforce their easementary rights.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

Date: 5.11.2018

KPM

CHALLA KODANDA RAM,J

