

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23949 of 2019

ORDER:

The prayer of the petitioners in this Writ Petition is as under:

“... to issue an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings dated 23/09/2019 issued by the 4th respondent in demolishing the petitioners houses in asking the petitioners to get the set backs correctly and otherwise to take appropriate action in respect of the petitioners houses situated at Ankushapur Village, Ghatkesar Mandal, Medchal-Malkajgiri District (Ranga Reddy) as illegal, arbitrary, contrary to the provisions of Telangana Panchayat Raj Act and in violation of the principles of natural justice and the fundamental rights guaranteed under the constitution of India and as well as the without jurisdiction and set aside the same and consequently, to direct the respondent not to dispossess or interfere the petitioners above said houses and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

In this Writ Petition, the challenge is to the special notice, dated 23.9.2019 issued by respondent No.4-Gram Panchayat.

Heard learned counsel for the petitioners and Sri G.Narender Reddy, learned Standing Counsel for respondent No.4 Gram Panchayat.

From a perusal of the record, it is clear that the impugned special notice is not preceded by any notice and more so, it appears to be very vague. Hence, the impugned special notice is liable to set aside on this short ground alone.

In view of the facts and circumstances of the case, without going into the merits of the case, this Writ Petition is allowed and the impugned notice is set aside. However, it is made clear that it is

open to respondent No.4 Gram Panchayat to take further action, if any, after issuing notice to the petitioners.

As a sequel, Miscellaneous Petitions, if any, pending shall stand closed. No order as to costs.

A. RAJASHEKER REDDY, J

05th November, 2019
dr

