

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.24177 of 2019

ORDER:

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

“... to issue a writ order or direction more particularly one in the nature of Writ of Mandamus or any other writ declaring the action of the respondents authorities particularly the 4th respondent Panchayat Secretary in issuing the impugned notice dated 21/10/2019 to stop the alleged layout /venture in the subject area under guise of G.O.Ms.No.111, MA dated 08/03/1996 is without jurisdiction illegal, arbitrary and not only against the principles of natural justice and in contravention with the G.O.Ms.No.111, MA dated 08/03/1996 and the provisions of T S Panchayat Raj Act and consequently, to set aside the same and to pass such further or other orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.”

The case of the petitioners is that they are owners of the subject land and are only planting trees in the subject land but not making any layouts, either for residential or commercial purposes. But, the respondents are obstructing the planting of trees in the subject land and issued the impugned notice dated 21.10.2019.

Learned counsel for the petitioners would submit that G.O.Ms.No.111, Municipal Administration, dated 08.3.1996, does not prohibit planting of trees in the subject land.

Sri G.Narender Reddy, learned Standing Counsel for the respondent Gram Panchayat, submits that the petitioners cannot make construction in the land covered by said G.O.

In view of the same, the Writ Petition is disposed of directing the respondents not to obstruct the petitioners from planting trees in the subject land. But, however, if any constructions are being

undertaken in the subject land, contrary to G.O.Ms.No.111, dated 21.10.1996, it is open for the respondents to take action in accordance with law. No order as to costs.

As a sequel, Miscellaneous Petitions, if any, pending shall stand disposed of.

A.RAJASHEKER REDDY, J

05th November, 2019

Note:

Issue CC in three days.

B/o

dr

