

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.24201 OF 2018

ORDER:

It is the case of the petitioners that one Cherra Jagan Mohan Reddy and his son Ravinder Reddy i.e. respondents 5 and 6 were the owners of the land to an extent of Ac.20-00 guntas in Sy.Nos 19 and 20 of Rangampally Village and they prepared lay out with an intention to sell the same. All the petitioners purchased plots in the said layout through registered sale deeds. At the time of purchase, as per layout plan it is clearly shown 24 feet wide road from Rajiv Rahadari to the layout prepared by them. All the petitioners and other plot owners who purchased the plots from them purchased the plots as there is direct approach to Rajiv Rahadari from the said layout. After purchasing the plots from the said layout petitioners and others obtained permissions from the Grampanchayat Rangampally and constructed houses in their respective plots and they are using 24 feet wide road for approaching Rajiv Rahadari. The Grampanchayat also developed the said approach by laying the road and electricity department also erected street lights from the Rajiv Rahadari to the layout prepared. It is also stated that respondents 5 and 6 constructed a function hall under the name and style of RR Gardens by the side of existing 24 feet road shown the layout. Respondents 5 and 6 started constructing a wall across the 24 feet road near the function hall blocking the way of the petitioners and other plot owners without obtaining any

permission from the competent authorities. When they started the work of constructing the wall, the petitioners and other plot owners obstructed and stopped the work and made a representation on 04-06-2018 to the respondent-authorities requesting them to stop the construction of wall on the public road. Against respondents 5 and 6 started construction of compound wall on the 24 feet wide road on 08-07-2018 by dumping the construction material. On that the petitioners informed respondents 3 and 4 about the construction on public road and the petitioners stopped the work. But respondent-authorities till then did not take any action on the illegal constructions being made by respondents 5 and 6 and have not taken any action on the representation dated 04-06-2018 made by the petitioners. If respondents 5 and 6 are permitted to construct a compound wall on the 24 feet wide public road from the layout to the Rajiv Rahadari petitioners would be put to irreparable loss and hardship. Aggrieved by the same, the present writ petition is filed.

Counter affidavit is filed by 4th respondent stating that after passing of interim order by this Court, respondents 5 and 6 stopped the construction. Sri G.Narender Reddy, learned Standing Counsel submits that respondent No.3 is merged with Peddapalli Municipality.

An affidavit is filed by respondent No.6 undertaking that after interim order is passed they stopped the construction and more so, they have not made any construction by encroaching public road. The statement made by learned

Standing counsel that respondent No.3 is merged with Peddapalli Municipality has been impleaded as party.

Heard Sri N.Praveen Kumar, learned Standing Counsel for Peddapalli Municipality.

In view of the facts and circumstances of the case, Peddapalli Municipality represented by its Commissioner is directed to take action on the representation of the petitioners dated 04-06-2018 and if any encroachments are made by respondents 5 and 6, the same shall be removed in accordance with law.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

09-08-2019
Nvl



