

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.37934 2017

ORDER:

Petitioner asserts that in the month of February, 2015 respondent No.2-Nagara Panchayat, Parkal, Warangal Rural District and respondent No.3-Executive Engineer, Roads & Buildings Department, Parkal, Warangal District, damaged the well, wall and pillars in front of his house bearing No.3-1090, Bus Depot Road, Parkal, Warangal District while undertaking construction of drainage, which was not completed; that on the complaint made by him on 08.05.2015, the Commissioner, Nagara Panchayat, Parkal addressed a letter, dated 09.07.2015, to the Regional Deputy Director of Town & County Planning, Warangal, stating that the complaint of the petitioner is not genuine and that he made a representation on 01.04.2017 seeking damages of Rs.4,00,000/- and no action has been taken thereon. Hence, he filed this writ petition.

Respondent No.3 filed a counter-affidavit stating that R & B Department had neither undertaken any work nor damaged the premises of the petitioner as alleged.

Learned counsel for the petitioner placed before this Court the photographs evidencing that there being no access to the premises of the petitioner on account of the alleged demolition carried out by the respondents.

As can be seen from the photographs filed by the petitioner, it is evident that some element of demolition has been undertaken in front of the premises of the petitioner. However, the photographs itself disclose that the petitioner had access covering a portion of nala, which appeared to have been demolished. In the facts of the present case, so far as the damages are concerned, the same cannot be decided by this Court. As it is alleged by the petitioner that for the purpose of construction of drainage, the demolition has been carried out, respondent No.2 shall complete the drainage work, within a period of eight weeks from the date of receipt of a copy of this order.

With the above, the writ petition is disposed of.

Miscellaneous Petitions, if any pending shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:07.02.2019

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