

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No.917 of 2020

ORDER:

The present writ petition is filed under Article 226 of the Constitution of India for issuance of a *Writ of Mandamus* to declare the action of the respondents in forcefully earmarking the pattaland of the petitioner for construction of Smashana Vatika in Survey No.257/A admeasuring Ac.04.09 guntas situated at Karegaon Village, Pitlam Mandal, Kamareddy District, without initiating acquisition proceedings and without paying any compensation, as being illegal, arbitrary and unconstitutional.

Heard Sri P. Pandu Ranga Reddy, learned counsel for the petitioner and the learned Government Pleader for Revenue and Sri G. Narender Reddy, learned Standing Counsel for Gram Panchayat appearing for the 6th respondent-Gram Panchayat.

The learned Government Pleader for Revenue, based on the written instructions of 4th respondent-Tahsildar, Pitlam Mandal, which is placed on the record of this Court, submits that the 6th respondent-Gram Panchayat has been instructed to construct Vaikunta Dhamam/Smashana Vatika and for such purpose identified Ac.0.20 guntas of land in Survey No.98 situated at Karegaon Village of Pitlam Mandal.

The learned Standing Counsel for Gram Panchayat also submits that the Gram Panchayat is undertaking construction of Smashana Vatika in Survey No.98 and is not undertaking any construction in the petitioner's land, which is forming part of Survey No.257.

In the written instructions of 4th respondent, it is also stated that the claim of the petitioner that the government officials are constructing Smashana Vatika in petitioner's land in Survey No.257 is not true.

Having regard to the submissions of the learned Government Pleader for Revenue and also the Standing Counsel for Gram Panchayat, since the construction of Smashana Vatika is being undertaken in Survey No.98 of Karegaon Village of Pitlam Mandal, to which the petitioner cannot have any grievance, the writ petition is disposed of. However, there shall be no order as to costs.

As a sequel thereto, Miscellaneous Applications, if any, pending in this Writ Petition shall stand closed.

T. VINOD KUMAR, J

Date: 10.01.2020
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