

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

TUESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO: 16551 OF 2020

Between:

P. Sunandha, W/o Venkat Reddy, R/o. 1-30, Puduru Village and Mandal,
Vikarabad, Vikarabad District.

...PETITIONER

AND

1. State of Telangana, Rep. by its Principal Secretary, Panchayat Raj Department, Secretariat, Hyderabad.
2. District Collector, Vikarabad at Vikarabad District.
3. District Panchayat Officer, Vikarabad at Vikarabad District.
4. Mandal Parishat Development Officer, Vikarabad, Vikarabad District.
5. Puduru Gram Panchayat, Rep., by its Panchayat Secretary, Puduru Village and Mandal, Vikarabad district.
6. P. Narasimha Reddy, S/o Ranga Reddy R/o Puduru Village and Mandal, Vikarabad District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not taking any action on the illegal construction pursuant to the Representation date 27/08/2020 of the Petitioner, as illegal, null, void and arbitrary.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to take steps for demolition of illegal construction made by the 6th Respondent, Pursuant to the Representation dated 27/08/2020, pending disposal of the present Writ Petition.

Counsel for the Petitioner: SRI. K. DURGA PRASAD

Counsel for the Respondent Nos.1 to 4:

AGP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

**Counsel for the Respondent No.5: SRI G. NARENDER REDDY,
SC FOR GRAM PANCHAYAT**

Counsel for the Respondent No.6: NONE APPEARED

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 16551 of 2020

ORDER:

This Writ Petition is filed to declare the inaction of the official respondents on the illegal construction pursuant to the representation dated 27.08.2020 of the petitioner, as illegal and arbitrary.

Heard learned counsel for the petitioner, learned Standing Counsel for the respondent gram panchayat Sri G. Narender Reddy and learned Assistant Government Pleader for Panchayat Raj.

The case of the petitioner is that she is the owner of Ac.0.06 guntas abutting Bijapur Highway to Puduru Village, Vikarabad District, with specific boundaries and towards South : land of Sri P. Narsimha Reddy, S/o Ranga Reddy, the 6th respondent herein and his wife. It is the allegation of the petitioner that the 6th respondent, using the powers of his wife who is Sarpanch of the village, is constructing shutter in Survey No. 55 and also encouraging unauthorised construction by encroaching even into the government land. The petitioner asserts that noticing the same, she had given complaint to the Collector, the District Panchayat Officer, the Mandal Parishad Development Officer, Vikarabad, the Tahsildar and the Panchayat Secretary, in August, 2020, but however, no action is taken thereon.

On the other hand, the learned Standing Counsel, on specific instructions, submits that noticing certain constructions having been made unauthorisedly erecting tin sheds, they were, in fact, removed and as on date, no constructions are permitted.

At the hearing on 28.09.2020, taking note of the fact that the complaint of the petitioner was considered already, the Writ Petition was directed to be listed on 23.11.2020. Today, the learned counsel for the petitioner submits that though structures have been removed, the 6th respondent is still continuing to construct the basement.

Having regard to the respective submissions, as the complaint is made not only against the 6th respondent but also his wife, who is Sarpanch of the village, and as the panchayat officers alleged to have not acted as on date, the 3rd respondent District Panchayat Officer shall take necessary action in accordance with law and ensure that no constructions are permitted without there being permission, as mandated under the Act.

Subject to the above, the Writ Petition is disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

//TRUE COPY//

SD/-I.NAGALAKSHMI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The District Collector, Vikarabad at Vikarabad District
2. The District Panchayat Officer, Vikarabad at Vikarabad District
3. The Mandal Parishat Development Officer, Vikarabad, Vikarabad District
4. The Panchayat Secretary, Puduru Gram Panchayat, Puduru Village and Mandal, Vikarabad district
5. One CC to Sri K. Durga Prasad Advocate [OPUC]
6. Two CCs to GP for Panchayat Raj & Rural Development, High Court for the State of Telangana at Hyderabad. [OUT]
7. One CC to Sri G. Narender Reddy, SC for Gram Panchayat [OPUC]
8. Two CD Copies

CHR

HR

HIGH COURT

DATED:24/11/2020



ORDER

W.P.No.16551 of 2020

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(10)
2/12/20
J/V