

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.14569 OF 2021

ORDER:

This writ petition is filed, seeking to declare the notice issued by the 4th respondent dated 25.06.2021, seeking to demolish the compound wall constructed by the petitioner in his land, situated in Sy.Nos.104 and 105 of Nagaram Village, Hasanparthy Mandal, Warangal Urban District as illegal and arbitrary.

2. It is the case of the petitioner that the petitioner and his brother are the owners of land in an extent of Ac.07.04 guntas, situated in Sy.Nos.104 and 105 of Nagaram Village, Hasanparthy, Warangal Urban District. The petitioner has already paid Nala conversion and other requisite fee and at that juncture, when the petitioner is raising a compound wall to protect the land from encroachments and trespass, the respondent Gram Panchayat issued a notice of demolition of compound wall since the same is constructing unauthorisedly. The petitioner submitted an explanation and the same pending. In the said explanation, the petitioner has categorically stated that he filed the application seeking permission for construction of a compound wall. The respondents without considering his request and explanation, they are proceeding to demolish the compound wall. Hence the writ petition.

3. Heard the learned counsel appearing for the petitioner and Sri G.Narender Reddy, learned Standing Counsel for Gram Panchayat.

4. It is the case of the Gram Panchayat that the petitioner is not entitled to make any construction in the land without obtaining any permission including the so-called compound wall. Further, the petitioner is also taking steps for construction and change the nature of land without any permission. Since the Gram Panchayat is enforcement authority, they are taking steps for removing the unauthorized compound wall.

5. In view of the facts and circumstances of the case, without expressing any opinion on the merits of the case, the writ petition is disposed of directing the respondent Gram Panchayat to decide the application if any filed by the petitioner for construction of a compound wall and also consider his explanation in accordance with law preferably within a period of 15 days from the date of receipt of a copy of this order and till the decision is taken by the respondent Gram Panchayat, both parties shall maintain status-quo. No order as to costs. As a sequel, the miscellaneous petitions pending if any shall stand closed.

T.AMARNATH GOUD, J

Date: 29.06.2021.
Shr.