



*vinita*

**IN THE HIGH COURT OF BOMBAY AT GOA**

**WRIT PETITION NO. 198 OF 2025**

MILTON RAYMOND FERNANDES ... Petitioner.

VS

STATE OF GOA THR. ITS

CHIEF SECRETARY AND 6 ORS. ... Respondents.

Mr Vivek Rodrigues and Mr Kevin Braganza, Advocates for the petitioner.

Ms A. Razaq, Govt. Advocate for respondent nos.1 to 3, 5 and 6.

Mr J. J. Mulgaonkar, Advocate for respondent no. 7.

**CORAM:- BHARATI DANGRE &  
NIVEDITA P. MEHTA, JJ.**

**DATED :- 11<sup>th</sup> August, 2025**

P.C.

1. Petitioner seek a limited relief namely issuance of writ of mandamus to the respondent nos. 4 and 5 i.e Village Panchayat, Batim and the Deputy Collector Tiswadi Panaji, Goa, to take cognizance of the complaint of the petitioner in respect of illegal conversion and the show cause notice issued on 18.10.2020 all in relation to respondent no. 7.

2. On the last date we had issued notice and pursuant thereof counsel for the village panchayat has marked his

appearance. He would invite our attention to the noting dated 18.6.2020, placed on record at Exh. C, which record thus:-

*Dt. 18/6/20*

*As per notice vide No. VP/B/2020-2021/66 dt 15/06/20 shri.Agnelo Correia.....Opponent & Shri. Milton Fernandes ... complainant remain present in the presence of Panch member Smt. Delara Fernandes & Sarpanch Shr. Alexro J. Vaz.*

*After discussion it is decided to resurvey as per cadastral plan regarding the access in the presence of Sarpanch, ward member, complainant & opponent & govt. approved surveyor. Any if any encroachment is taken place, the opponent is agreed to demolish the same.*

*Both the parties agreed.*

*Sd/- sd/-*

*Sd/-*

*received by me*

*Sd/-*

*18/6/20*

*Secretary*

*Village Panchayat Batim*

*Before me*

*Sd/-*

*Sarpanch*

*Village Panchayat Batim*

3. The learned counsel representing the private respondent would however submit that this is the second round of litigation and according to him, the petition involves various disputed facts where this Court would not be in position to be dealt into.

4. We quite appreciate the said submission but at the same time what we find is an innocuous relief of requesting the authorities i.e respondent no.4 and 5 to take cognizance of the complaints made by the petitioner in respect of the alleged illegal conversion and issuance of the show cause notice by the village panchayat.

5. Considering that the prayer is innocuous, Ms Razaq representing respondent no. 5 as well as learned counsel representing respondent no. 4- village panchayat, make a categorical statement that complaint dated 5.2.2019, addressed to the respective authorities being placed at annexures A and B respectively shall be taken cognizance of by affording an opportunity of hearing to the complainant as well as the private respondent i.e respondent no. 7 and appropriate decision shall be arrived at. We expect this

process to be completed within a period of four weeks from today.

6. Needless to state that it is for the authorities to adjudicate the grievance after affording an opportunity to respondent no. 7.

7. Writ Petition stands disposed of.

**NIVEDITA P. MEHTA, J. BHARATI DANGRE, J.**