

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 15083 of 2015

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ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj for the 1st respondent and the learned Government Pleader for Revenue for respondents 2 to 4.

2. This writ petition is filed challenging the action of the 5th respondent in issuing notice dated 25.05.2015, issued at the instance of higher officials and on verifying the Gram Panchayat records.

3. A reading of the said notice indicates that the records revealed that the petitioner had constructed a boundary wall by encroaching the land meant for 'Rachabanda' which was allocated for public utility purpose by the elders of the village. The village panchayat in its meeting held on 14.05.2015 passed a resolution to remove the illegal construction. 52 villagers have also made a complaint to the higher officials on 14.05.2015 for stopping encroachers from encroaching the said land.

4. Learned counsel for the petitioner submits that the petitioner has documentary evidence to show that the land on which he made construction is supported by title deeds. The learned counsel also submits that some demolition had already taken place even though the writ petition is pending.

5. In the circumstances, liberty is given to the petitioner to file his

objections to the notice dated 25.05.2015 within a period of one week from the date of receipt of a copy of this order and the 5th respondent shall consider the documentary evidence produced by the petitioner and pass appropriate orders within a period of one week thereafter. Till such time, no further demolition of the construction made by the petitioner shall take place.

6. Accordingly, the writ petition is disposed of.

Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

A. RAMALINGESWARA RAO, J

28th May, 2015

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