# **HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

## MAIN CASE No.:W.P.No.1978 of 2022

## PROCEEDING SHEET

| Sl.<br>No | DATE       | ORDER   |  |
|-----------|------------|---|--|
| 1)        | 28.01.2022 | DEV, J  |  |
|           |            | W.P.No.1978 of 2022                           |  |
|           |            | Notice before admission.                      |  |
|           |            | Learned Government Pleader for                |  |
|           |            | Panchayat Raj takes notice for Respondent     |  |
|           |            | Nos.1 to 3.                                   |  |
|           |            | Sri V. Vinod K Reddy, learned Standing        |  |
|           |            | Counsel takes notice for Respondent Nos.4     |  |
|           |            | and 5.  |  |
|           |            | Learned Government Pleader for Home           |  |
|           |            | takes notice for Respondent No.6.             |  |
|           |            | Issue notice to Respondent Nos.7 to 10.       |  |
|           |            | Learned counsel for the petitioners is        |  |
|           |            | permitted to take out personal notice to the  |  |
|           |            | Respondent Nos.7 to 10 and file proof of      |  |
|           |            | service by next date of hearing.              |  |
|           |            | Post after four (4) weeks to enable the       |  |
|           |            | Respondents to file their counter-affidavits. |  |
|           |            |   |  |
|           |            | DEV, J  |  |
|           |            |   |  |
|           |            | P.T.O   |  |

### I.A.No.1 of 2022

Learned counsel for the petitioners submits that the Respondent Nos.9 and 10 at the instance of the Respondent Nos.7 and 8 making illegal/unauthorized construction in Survey No.3/1 to an extent of Ac.0-03 cents situated in Appaiahpalem Village, East Gram Mallavaripalem Panchayat, Sathyavedu Mandal, Chittoor District, digging the public pits on road for unauthorized construction of private septic latrine tank.

The petitioners made representations on 11.01.2022 and 13.01.2022 5<sup>th</sup>to the Respondent to take action against the Respondent Nos.9 and 10 for their illegal action. The 5th Respondent failed to take any action.

Learned Standing Counsel appearing for the 5th Respondent, on instructions, submits that pursuant to the representation of the petitioners, the Gram Panchayat issued notice on 24.01.2022 to the Respondent Nos.9 and 10 calling upon their explanation as to why action should not be taken against them for the alleged unauthorized construction and damaging the road by digging pits. After receipt of the explanation from the Respondent Nos.9 and 10, appropriate action will be taken by the Gram Panchayat, in accordance with the provisions of A.P. Panchayat Raj Act.

Sri V.R. Reddy Kovvuri, learned counsel for the petitioners submits that the petitioners are not aware of the notice issued by the Gram Panchayat to the unofficial Respondent Nos.9 and 10, but the Respondent Nos.9 and 10 are proceeding with their unauthorized and illegal activity after 24.01.2022 also.

Having regard to the facts and circumstances of the case, in the prima facie opinion of this Court, it is appropriate to pass interim orders to protect the public road.

Accordingly, the Respondent No.5 is directed to stop illegal activities of the Respondent Nos.9 and 10 to damage the public road by digging pits by the Respondent Nos.9 and 10, forthwith.

DEV, J

Note: Issue CC today.

B/o PĠR