

HONOURABLE SRI JUSTICE P. NAVEEN RAO

Writ Petition No.23762 of 2015

ORDER :

This Writ Petition is filed alleging that the 04th Respondent has put up an exhibition in the name and style of Titanic/Pushkar Exhibition adjacent to R.T.C. Complex in R.S.No.306/1 at the location known as Telukulolla Cheruvu. The petitioner alleges that no permission was granted to the 04th Respondent and no charges were collected from him for establishing such an exhibition and this will result in huge financial loss to the Respondent - Municipal Corporation, which is already suffering from severe financial constraints. Because of the financial constraints of the Municipal Corporation, the residents of the municipal area are subjected to lot of hardship and suffering.

This matter was adjourned twice to enable the learned Standing Counsel to obtain instructions as to whether any permission was granted and whether any fee was collected from the 4th Respondent.

Today, when the matter is taken up, the learned Standing Counsel, on instructions, states that the place where the exhibition is established partly falls within the jurisdiction of the Respondent-Municipal Corporation and the major portion comes within the neighbouring Gram Panchayat and on minor portion of the place where the exhibition established which falls

within the Respondent - Municipal Corporation an amount of Rs.1,00,000/- (Rupees One Lakh only) which is the amount payable for establishing exhibition within the Municipal Corporation Limits was collected from the 04th Respondent. With reference to the rest of the area, as it falls within the neighbouring Gram Panchayat, the Respondent-Municipal Corporation has no jurisdiction to collect the fee from the 04th Respondent.

In view of the said submissions, the Writ Petition is disposed of leaving it open to the petitioner to work out his remedies insofar as the submissions made by the counsel for the Municipal Corporation on the issue of collection of requisite fee by the concerned Gram Panchayat from the 04th Respondent. The petitioner is granted liberty to bring to the notice of Sub-Collector, Rajahmundry the issue of establishment of exhibition by the 04th Respondent within the limits of Gram Panchayat, which is adjacent to the Rajahmundry Municipal Corporation and as and when such issue is brought to the notice of the Sub-Collector-Rajahmundry, the Sub-Collector shall consider the same and take appropriate course of action.

Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand dismissed. There shall be no order as to costs.

P. NAVEEN RAO, J.

August 13, 2015.

skmr