

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.38436 of 2015

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26.11.2015

Between:

Nerellu Mondaiah and another

.. Petitioners

and

The State of Telangana,

represented by its Principal Secretary,

Panchayat Raj Department, Hyderabad and others

.. Respondents

Counsel for the petitioners: Mr.Challari Nageswara Rao

Counsel for respondent Nos.1 to 4: Government Pleader for Panchayat Raj (TS)

Counsel for respondent No.5: Mr.G.Narendra Reddy,

standing counsel for Gram Panchayats (TS)

The Court made the following:

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ORDER:

Petitioner No.1, who is the ex-Sarpanch and petitioner No.2, who is the President of Gopaiahpalli Village filed this writ petition feeling aggrieved by the purported inaction of respondent Nos.1 and 2 in constituting a separate Gram Panchayat for Gopaiahpalli Village by bifurcating the existing Palitham Gram Panchayat.

The petitioners pleaded that as far back as 23.07.2008, respondent No.5 has passed a resolution for bifurcation of Gopaiahpalli Village from Palitham Gram Panchayat, by creating a new Gram Panchayat for Gopaiahpalli Village. They have also averred that several villagers have made a representation for such purpose to the Mandal Parishad Development Officer, Peddapalli on 14.09.2015 and that the local M.L.A., Peddapalli and the President of Mandal Praja Parishad (M.P.P.), Peddapalli Village have also given separate representations for the same purpose on 19.10.2015 to respondent No.2. As noted above, the grievance of the petitioners is that respondent Nos.1 and 2 have not been considering these representations.

The learned Government Pleader for Panchayat Raj (TS) appearing for respondent Nos.1 to 4 submitted that respondent Nos.1 and 2 will consider the proposal made by respondent No.5 and recommended by the local M.L.A. and the President of M.P.P., Peddapalli, under Section 3(2)(a) of the Andhra Pradesh Panchayat Raj Act, 1994 and take a decision thereon.

In the light of the above facts and the submission of the learned Government Pleader for Panchayat Raj (TS), the Writ Petition is disposed of with the direction to respondent Nos.1 and 2 to consider the proposal for creation of new Gram Panchayat for Gopaiahpalli Village, take a decision thereon and communicate the same to the petitioners within a period of three months from the date of receipt of a copy of this order.

As a sequel to disposal of the writ petition, W.P.M.P.No.49482 of 2015 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

26th November, 2015

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