

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

WRIT PETITION No.29270 of 2010

Dt:14.08.2015

Between:

V.Subba Reddy.

... Petitioner

And

The State of A.P. and others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

WRIT PETITION No. 29270 of 2010

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ORDER:

Heard learned counsel for the petitioner. None appears for the respondents, though served.

The petitioner, in the instant writ petition, seeks the following relief:

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon’ble Court may be pleased to issue a writ order or direction particularly writ of mandamus directing the respondents to initiate appropriate action against the persons, who have high handedly erected the platform to install the statue without obtaining requisite permissions at ‘Mittagudem Centre’ and remove the illegal erection and prevent the political parties from in any way causing obstruction in the said ‘Mittagudem Centre’ and pass such other order or orders as this Hon’ble Court may deem fit and proper.”

This Court on 24.11.2010, passed the following order:

“The grievance of the petitioner, in which, this Court *prima facie* sees legitimacy is that the respondents are not preventing the proposed erection of a statue in the centre of the road resulting in serious obstruction of free flow of traffic.

In the recent times, considerable number of writ petitions are being filed with similar complaints. In a Welfare State, public convenience is of paramount importance. The State cannot be allowed to make a compromise of this vital aspect and allow public interests to be affected by not preventing indiscriminate use of public roads and pavements for erection of statues causing serious hindrance to the commuters and pedestrians.

The State Government represented by the concerned Principal Secretary shall file a counter-affidavit explaining to the

Court whether it has evolved any policy regulating erection of statues in public places and, if so, the same shall be placed before the Court. If such policy has not been evolved, he shall state the reasons therefor. Such an affidavit shall be filed within a period of three weeks from today.

Learned Government Pleader for Panchayat Raj takes notice for respondent No.4

Pending further orders, the respondents are directed to take preventive measures against erection of the proposed statue at Mittagudem Centre of Reddigudem Village, Krishna District.”

Learned counsel for the petitioner submits that the petitioner has no objection for allowing anyone to install statue seeking permission under G.O.Ms.No.55, dated 08.04.2003. However, the concerned authority may be directed to consider their applications on merits in accordance with law and such permission may be granted only if they comply with all the requirements under the said G.O.

The writ petition is disposed of in terms of the order, dated 24.11.2010, with further observation that if any application is made for installation of a statue, same shall be considered on merits in accordance with law and in the light of G.O.Ms.No.55, dated 08.04.2003.

Consequently, miscellaneous petitions, if any, also stand disposed of. There shall be no order as to costs.

DILIP B. BHOSALE, ACJ

Dt:14.08.2015
kdI

