

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

PUBLIC INTEREST LITIGATION No.10 OF 2015

DATED: 30.03.2015

Between:

M.Tata Rao and others

... Petitioners

and

State of Andhra Pradesh and others

... Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

PUBLIC INTEREST LITIGATION No.10 of 2015

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ORDER: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

Learned counsel for the petitioners at the time of hearing, does not want to proceed with the matter and says that the matter may be closed. However, in view of the statement made in the Writ Petition and also that of the affidavit, we are not inclined to accept the prayer of the learned counsel for the petitioners since it is a public interest litigation. We proceed further with the matter as there are considerable issues involved for decision of this Court.

This Public Interest Litigation was filed at the point of time when the statue of a particular person was sought to be installed at Veeravasam Village and Mandal, West Godavari District. The allegation of the petitioners was that without any permission of the local authority, the statue is sought to be erected near Bus Stand, a public place. When the matter was moved, installation of the statue was complete. However, during pendency of the Public Interest Litigation, as it could be reflected from counter-affidavit that installation of the statue has been completed overnight. On 16.2.2015, when the matter was taken up for hearing, learned Special Government Pleader for the State of Andhra Pradesh made a statement before us that steps had been taken for removal of unauthorized statues erected on the public roads and public places.

In view of that statement, we direct the Collector to verify firstly, whether any permission has been obtained from appropriate authority for installation of the statue at the bus stand of the place mentioned above and secondly, whether the said statue was installed on the public place. After making the aforesaid enquiry, if it is found no prior permission was taken, then steps must be taken by the Collector for removal of the said statue. This must be done within a period of three weeks from the date of receipt of a copy of this order.

Subject to the above directions, the Public Interest Litigation is

disposed of.

Consequently, miscellaneous petitions, if any pending, shall stand closed. No order as to costs.

K.J. SENGUPTA, CJ

30th MARCH, 2015.

SANJAY KUMAR, J

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