

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No. 7224 OF 2009

31-08-2015

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Between:

Smt. Bogadi Koteswaramma and another

... Petitioners

And

State of Andhra Pradesh, rep., by its Principal Secretary, Panchayat
Raj Department, Secretariat, Hyderabad and others

... Respondents

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

-
WRIT PETITION No. 7224 OF 2009

PC: (per the Hon'ble Sri Justice S.V. Bhatt)

The petitioners pray for the following relief:

“.....declaring the inaction of the Respondents No.1 to 4 in taking action to safeguard and resume the land in R.S No.14 of Yenamalakuduru Village & Gram Panchayath, Penamaluru Mandal, Vijayawada Rural, Krishna District, from the Respondent No.5 to Respondent No.8, as illegal, arbitrary, violative of principles of Law and consequently direct the Respondent No.1 to 4 to resume the land of “Punyasthri Bhavi” (Women Well), to its original extent of Ac.0.28 cents under R.S No.14 of Yenamalakuduru Gram Kantam, Penamaluru Mandal, Krishna District forthwith and pass such other order or orders as the Hon'ble Court may deems fit and proper in the interest of justice.”

The prayer in the writ petition is substantially against the inaction of respondent Nos.1 to 4, particularly respondent No.2, in considering and disposing of the representation dated 25-11-2008 made by the petitioners.

Heard learned counsel for the petitioners and Sri Raghu, learned counsel representing respondent Nos.5 to 8.

As the prayer is against inaction, having regard to the nature of grievance set out in the representation dated 25-11-2008, we are satisfied that the writ petition can be disposed of by directing respondent No.2 to consider and dispose of the representation dated 25-11-2008 within a period of eight weeks from

the date of receipt of a copy of this order. It is made clear that this Court while directing consideration of representation dated 25-11-2008 has not considered the prayer on merits or expressed any opinion on merits. It is needless to observe that if respondent No.2 considers it necessary to direct removal of the encroachment allegedly made by respondent Nos.5 to 8, respondent No.2 follows the procedure stipulated for removal of encroachment. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of.

Miscellaneous petition, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

31-08-2015

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