

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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WRIT PETITION No.21054 OF 2007

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ORDER:

Heard both sides and perused the record.

2. This Writ Petition came to be filed seeking to declare the action of the 2nd respondent in not conducting any enquiry in respect of the land situated in Survey No.290 of Anugonda Village, Kodumur Mandal, Kurnool District, which was earmarked for the purpose of construction of a protective shed for Pochamma Grama Devata Rath despite the direction of the 1st respondent, as arbitrary and illegal and consequently, direct the 2nd respondent to conduct enquiry pursuant to the representation, dated 10.09.2007, made by the petitioner and take necessary steps for construction of a protective shed to the Rath of Pochamma Grama Devata.

3. The allegations in the petition show that in the year 2003, the then Sarpanch of Anugonda Gram Panchayat of Kodumur Mandal, Kurnool District passed a resolution on 04.11.2003 resolving to allot land situated in Survey No.290 of Anugonda Village, Kurnool District for the purpose of construction of a protective shed to the Rath of Pochamma Grama Devata. But, due to paucity of funds, construction of protective shed could not be done immediately after passing of the resolution.

4. While things stood thus, the 3rd respondent proposed to utilize the said land for the purpose of construction of a society. In this connection, the petitioner and other village elders raised an objection and demanded for construction of protective shed as decided earlier by the previous Sarpanch, by submitting a representation, dated 10.09.2007 before the 1st respondent requesting him to protect the said land from utilizing to any other purpose. Thereafter, the 1st respondent i.e., the District

Collector directed the 2nd respondent-Tahsildar to look into the matter and take appropriate steps. It is said that though endorsement was made by the 1st respondent on the representation, dated 10.09.2007 directing the 2nd respondent to enquire into the matter and take appropriate steps, no action has been taken by the 2nd respondent. Hence, the present Writ Petition.

5. Though various grounds are raised in the Writ Petition, learned counsel for the petitioner restricts his prayer seeking a direction to the 2nd respondent to pass appropriate orders on the representation, dated 10.09.2007.

6. Learned Government Pleader for Revenue did not dispute the same.

7. Having regard to the same and without going into the merits of the case, the Writ Petition is disposed of directing the 2nd respondent to pass appropriate orders, in accordance with law, on the representation, dated 10.09.2007, which was forwarded by the 1st respondent-District Collector to the 2nd respondent, as expeditiously as possible, preferably within four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Date:15.12.2015

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