

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.27558 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the inaction of the respondents in taking any action against the private persons, who are digging another bore-well very nearby the panchayat bore-well, as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and the learned Government Pleaders for Revenue, and Panchayat Raj and Rural Development (Andhra Pradesh).

3. It is the case of the petitioner that a bore-well was sanctioned in favour of Gram Panchayat under NTR Srujala Sravanthi Scheme. It is the further case of the petitioner that some private persons digging another bore-well nearby the panchayat bore-well in contravention of the provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and the Rules made thereunder. The petitioner has not chosen to implead the private persons as respondents in this writ petition. The fact remains that the petitioner submitted a representation dated 03.05.2016 to the fourth respondent to take appropriate action against the private persons. For one reason or other, the fourth respondent has not disposed of the said representation of the petitioner.

4. At the time of argument, the learned counsel for the petitioner submitted that the fourth respondent may be directed to dispose of the representation of the petitioner dated 03.05.2016. The learned Government Pleader for the fourth respondent also consented for the same.

5. Having regard to the facts and circumstances of the case, the fourth respondent is hereby directed to dispose of the representation of the petitioner dated 03.05.2016 in the light of the provisions of the

Andhra Pradesh Panchayat Raj Act and the Rules made thereunder, after affording a reasonable opportunity to both parties, as expeditiously as possible, preferably within a period of two (2) months from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of.

No costs.

7. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 17.08.2016

lvd