

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.27118 OF 2016

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of the respondents in constructing Garbage Dumping Yard in the layout open space earmarked for public purpose vide L.P.No.2 of 2004 situated in R.S.Nos.126 and 127/1P of Mylavaram Village and Mandal, Krishna District, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner, learned Government Pleader for Panchayat Raj appearing for respondents, 1 and 4 to 6, Sri Ch. Ravi, learned Standing Counsel appearing for the 2nd respondent, and Sri D. Ramesh, learned Standing Counsel appearing for the 3rd respondent.

3. A perusal of the record reveals that the 2nd respondent – Gram Panchayat passed a resolution for construction of the Dumping Yard. The petitioner herein submitted a representation dated 03.08.2016 to the 2nd respondent requesting it to shift the Dumping Yard.

4. At the time of arguments, learned counsel for the petitioner submitted that the 2nd respondent may be directed to dispose of the representation of the petitioner dated 03.08.2016. Learned Government Pleader and learned Standing Counsel consented for the same.

5. Having regard to the facts and circumstances of the case and also in view of the submissions made by both the counsel, the 2nd respondent is hereby directed to dispose of the representation dated 03.08.2016 submitted by the petitioner as expeditiously as possible, preferably, within a period of three weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date:12.08.2016

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