

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.1875 of 2016

Date:25.01.2016

Between:

Vallepu Srinivasulu,
S/o Ramanaiah

..... Petitioner

And:

State of A.P., repled by its Principal
Secretary, Panchayat Raj
Department, Hyderabad and 14 others.

.....Respondents

Counsel for the Petitioner: Mr. C.Sai Vishnu
For Mr. I.Koti Reddy

Counsel for Respondent Nos.1, 2 & 4: AGP for Panchayat
Raj (AP)
Counsel for Respondent No.3: AGP for Revenue (AP)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the inaction of respondent Nos.3 and 4 in considering the petitioner's representation, dated 21.12.2015, made for deletion of the names of respondent Nos.6 to 15 from Nekunambadu Water Shed Committee, Chimakurthi Mandal, Prakasam District (hereinafter referred as "the Water Shed Committee"), as illegal and arbitrary.

The petitioner, who is a member of the Water Shed Committee, averred that as per the prescribed procedure, the Gram Sabha has to constitute the Water Shed Committee by a specific resolution; that on 02.03.2013, the Gram Sabha of Nekunambadu passed a resolution constituting the Water Shed Committee with 10 persons including him as the members; and that by a further resolution, respondent No.5 has unilaterally included respondent Nos.6 to 15 as members of the Water Shed Committee. Feeling aggrieved by this action, the petitioner and other members have submitted representations, dated 21.12.2015, to respondent Nos.3 and 4 for deletion of the names of the new members *i.e.*, respondent Nos.6 to 15 from the Water Shed Committee.

The grievance of the petitioner is that the said respondents have not considered the said representation and taken any action so far.

A perusal of the record shows that one of the representations submitted by the petitioner and other members of the Water Shed Committee to respondent No.4 contains the latter's office seal, dated 21.12.2015.

In my opinion, when a representation alleging inclusion of members unauthorisedly and illegally by respondent No.5 in the Water Shed Committee is received by respondent No.4, it is his bounden duty to examine the same and take appropriate decision thereon. Therefore, respondent No.4 is directed to consider the petitioner's representation, dated 21.12.2015, and if he finds that respondent Nos.6 to 15 were included by respondent No.5 in the Water Shed Committee without conducting the Gram Sabha, he shall take appropriate action for deletion of the names of respondent Nos.6 to 15 from the Water Shed Committee after issuing notices to them. Respondent No.4 shall complete this exercise within one month from the date of receipt of a copy of this order.

As a sequel to disposal of the Writ Petition, WPMP.No.2370 of 2016 shall stand disposed of as

infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*25th January, 2016
DR*