

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.35715 OF 2015

DATED:19-01-2016

Between:

Nallamilli Shankara Narayanareddy
and others ... Petitioners

And

The State of Andhra Pradesh
Rep. by its Principal Secretary
Panchayat Raj & Rural Development
Secretariat
Hyderabad
and others ... Respondents

... Respondents

COUNSEL FOR THE PETITIONERS: Mr. T.V. Jaggi Reddy

COUNSEL FOR RESPONDENT NOs.1 to 4: A.G.P. for Panchayat Raj
(AP)

COUNSEL FOR RESPONDENT NO.5 : Mr. Ravi Cheemalapati

THE COURT MADE THE FOLLOWING:

-

-

-

ORDER:

-

This writ petition is filed for a mandamus to declare the action of the respondents in constructing new panchayat building in Merlapalem Village, Attreyapuram Mandal, East Godavari District, at old panchayat building site, by cancelling Resolution No.58, dt.24.4.2015, as illegal and arbitrary.

From the prayer in the writ petition itself it is evident that Resolution No.58, dt.24.4.2015, was cancelled by respondent No.5, which necessarily means that a fresh resolution was passed cancelling the earlier resolution. However, for the reasons best known to the petitioners, the fresh resolution, which cancelled the earlier resolution, has not been specifically questioned, nor the same has been filed. In my opinion, unless the legality or otherwise of the later resolution is called in question, no mandamus, as sought by the petitioners, can be issued. On this short ground alone, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P. No.45900 of 2015 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

19-01-2016

bnr