

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.32603 of 2016

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the inaction on the part of respondents 1 to 4 in considering the petitioner's representation dated 12.12.2015 as illegal and arbitrary.

Heard Sri M.Ganga Rao, learned counsel for the petitioner, the learned Assistant Government Pleader for Home, representing the respondents 1 to 3, learned Assistant Government Pleader for Panchayat Raj and Rural Development (Andhra Pradesh), representing the respondents 4 and 5, Sri Golla Seshadri, learned standing counsel for ZPP – MPP – GPP, representing the 6th respondent.

It is the case of the petitioner that he is eking out his livelihood by attending agricultural coolie works. The petitioner is a resident of Upparahallu Village, Kowthalam Mandal of Kurnool District. It is the case of the petitioner that he is entitled to avail the benefit under 'Mahathma Gandhi National Rural Employment Guarantee Scheme' (MGNREGS), which was launched in the year 2005. It is the further case of the petitioner that the respondents 5 to 7 indulged in misappropriating the funds allotted by the Government for the above said scheme. A perusal of the record reveals that the petitioner herein submitted a representation dated 12.12.2015 to the District Collector – 4th respondent to take

action against respondents 5 to 7. For one reason or other, the fourth respondent has not disposed of the representation of the petitioner.

At the time of arguments, both the counsel submitted that the issue involved in this writ petition is squarely covered by the orders of this Court in W.P.No.26292 of 2015.

Having regard to the submissions made by both the counsel, the writ petition is disposed of directing the District Collector, Kurnool, Kurnool District (4th respondent) to examine the representation of the petitioner and others and pass appropriate orders as warranted by law and communicate the decision to the petitioner as expeditiously as possible preferably within a period of eight (8) weeks from the date of receipt of copy of this order. If the fourth respondent, *prima facie*, is of the opinion that illegalities have taken place, he shall have to take proper course of action as warranted by law, by following the due process and after according due opportunity to the erring authorities. No order as to costs. As a sequel, the miscellaneous petitions, pending if any in this writ petition, shall stand closed.

September 26, 2016.
Pns

T.SUNIL CHOWDARY, J