

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.31204 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the inaction on the part of the fourth respondent in protecting interest of the public in using the public road in Jakkaram Village, as illegal and arbitrary.

2. Heard Sri V.V.Ramana, the learned counsel for the petitioner, the learned Government Pleader for Panchayat Raj and Rural Development appearing for respondent Nos.1 to 3 and Sri Ravi Cheemalapati, the learned Standing Counsel for Gram Panchayat appearing for the fourth respondent.

3. The petitioner is a resident of Jakkaram Village, Kalla Mandal, West Godavari District. It is the case of the petitioner that the fourth respondent – Gram Panchayat laid road in Survey No.144/1 of Jakkaram Village, Kalla Mandal as per the layout. It is the further case of the petitioner that some of the villagers are keeping boulders and other articles on the middle of the road and thereby preventing the villagers from using the road. The gist of the allegations made in the writ petition is that the fourth respondent is not taking any action against the wrong doers. A perusal of the record reveals that the petitioner submitted a representation to the fourth respondent – Gram Panchayat on 12.04.2016 with a request to remove the boulders and other articles kept on the road. It is not in dispute that the fourth

respondent has not taken any action basing on the representation of the petitioner.

4. At the time of arguments, the only relief sought for by the learned counsel for the petitioner is to direct the fourth respondent to dispose of the representation of the petitioner dated 12.04.2016 as expeditiously as possible. The learned Standing Counsel for the Gram Panchayat also consented for the same.

5. Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for both parties, the fourth respondent is hereby directed to dispose of the representation of the petitioner dated 12.04.2016 in the light of the provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and the Rules made thereunder, as expeditiously as possible, preferably within a period of one (1) month 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: 16.09.2016
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