

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.33869 of 2016

ORDER:

This writ petition is filed under Article 226 of Constitution of India seeking a writ of mandamus declaring the inaction of fourth respondent in considering the representation of the petitioners dated 24.8.2016, as illegal and arbitrary.

2. Heard the learned counsel for the petitioners and learned Standing Counsel for fourth respondent–Gram Panchayat.

3. The petitioners and fifth respondent belong to Lakshmipuram Village, Kallur Mandal, Kurnool District. It is the case of the petitioners that fifth respondent encroached Gram Panchayat road in front of Sri Chenna Kesava Swamy Temple and constructed an Arugu (platform) and compound wall. The further case of the petitioner is that the alleged constructions made by fifth respondent are causing much inconvenience to the pilgrims of the Temple as well as the villagers. The petitioners submitted a representation to the fourth respondent on 24.8.2016 with a request to remove the unauthorized constructions made by the fifth respondent. For one reason or the other, the fourth respondent has not disposed of the representation of the petitioners dated 24.8.2016.

4. At the time of the arguments, the only relief sought by the learned counsel for the petitioner is to direct the fourth respondent to dispose of the representation of the petitioners dated 24.8.2016 as early as possible. The learned Standing Counsel for fourth respondent 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 the parties, the fourth respondent is directed to dispose of the representation of the petitioners dated 24.8.2016, in the light of the provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and relevant Rules made thereunder, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order, after affording reasonable opportunity to the fifth respondent to put-forth his stand.

6. With the above direction, the writ petition is disposed of. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

September 30, 2016.
YS

T.SUNIL CHOWDARY, J.

