

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.32614 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the inaction of the respondents in considering the representation of the petitioner dated 02.9.2016 as illegal and arbitrary.

2. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Panchayat Raj & Rural Development and learned Standing Counsel for Gram Panchayats.

3. The petitioner claims that she is owner of the house bearing door No.7-93/1, NGGOs Colony, Kottur Village and Panchayat, Anakapalli Mandal, Visakhapatnam District. It is the case of the petitioner that fourth respondent – Gram Panchayat has proposed to construct a new water tank (with 1,00,060 litres capacity) by demolishing the old water tank, which is next to the petitioner's house. It is her further case that if the water tank is allowed to construct in the residential locality, it would have serious impact on the petitioner's house and other buildings in the vicinity. A perusal of the record also reveals that the petitioner has made a representation dated 02.9.2016 to the respondents. For one reason or the other, the representation is kept pending.

4. At the time of the arguments, the only relief sought by the petitioner is to direct the fourth respondent to dispose of the representation of the petitioner dated 02.9.2016. The learned Standing Counsel also consented for the same. In view of the submission made by the learned counsel for both the parties, this

court is not inclined to express any opinion touching the merits of the main case.

5. Having regard to the facts and circumstances of the case and also the submissions made by both the counsel, the fourth respondent is hereby directed to dispose of the representation of the petitioner dated 02.9.2016 as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order.

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

September 26, 2016.
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T.SUNIL CHOWDARY, J

