

THE HON'BLE SRI JUSTICE PRAVEEN KUMAR

WRIT PETITION No. 15898 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

With the consent of both the parties, the Writ Petition is disposed of at the admission stage.

The present Writ Petition came to be filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, the petitioner herein respectfully prays that this Hon’ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction, declaring the Resolution No.311, dated 30.11.2015 passed by the 5th respondent herein insofar as allotting the land admeasuring Ac.0.70 cents out of Acs.2.47 cents earmarked as open spaces in L.P.No.232/91 in Survey No.477, 478, 481 and 482/A, B, C, D of MG Colony, Yemmiganur Town and Municipality, Kurnool District as illegal, arbitrary, unreasonable and contrary to the provisions of the A.P.Municipalities Act, 1965 and the Rules made there under and consequently direct the respondents not to grant any permission for allotment of land admeasuring Ac.0.70 cents out of Acs.2.47 cents earmarked as open spaces in L.P.No.232/91 in Survey No.477, 478, 481 and 482/A, B, C, D of MG Colony, Yemmiganur Town and Municipality, Kurnool District and pass such other order or orders as the Hon’ble High Court may deem it fit and proper in the facts and circumstances of the case’.

Though various grounds are raised, learned counsel for the petitioner restricts his prayer seeking a direction to the 1st respondent to consider his representation dated 11.12.2015.

Without going into merits of the case and having regard to the circumstances stated above, the Writ Petition is disposed of directing the

1st respondent to consider the representation dated 11.12.2015 made by the petitioner seeking cancellation of the proposal made by the Chairman, Yemmiganur Municipal Council and Municipal Commissioner, Yemmiganur Municipality, Yemmiganur in respect of L.P.No.292/92 for the purpose of construction of community hall in site allotted for public purpose, in accordance with law, as early as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE PRAVEEN KUMAR

08.06.2016,
vhb