

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.23535 of 2016

ORDER:

1 This Writ Petition is filed under Article 226 of the Constitution of India seeking writ of Mandamus, declaring the action of the 2nd respondent in sanctioning various works to the 6th respondent under Neeru Chettu Programme and entrusting the works to Janmabhumi-Maavooru Programme committee for execution of the works namely (1) Mopirikunta Near Chinnakkagaripalli Village, Gandlapenta Mandal, Anantapur District, (2) Excavation of Peddakoyalagutla Kunta supply channel near Kurumamidi Village, Gandlapenta Mandal, Anantapur District, (3) Improvement of Mupinivanikunta Near Veparala Village, Gandlapenta Mandal, Anantapur District and (4) Improvement of Venkata Reddy Cheruvu Near Cheruvumundara Thanda Village, Gandlapenta Mandal, Anantapur District is illegal, arbitrary.

2 Heard the learned counsel for the petitioner and the learned Assistant Government Pleader appearing for the respondents.

3 Petitioner herein is Sarpanch of Veparala village of Anantapur District. The Government of Andhra Pradesh issued G.O.Ms.No.22 Planning (VII) Department, dated 09.10.2014 to constitute Janmabhoomi Committees to supervise different types of works. As per the said G.O., the Sarpanch of the village will be Chairman of the Janmabhoomi Committees – Maa Vuru Programme Committee. It is not the case of the respondents that the petitioner is not the Sarpanch of Veparala Village.

4 The grievance of the petitioner is that the respondents herein have not strictly adhered to the procedure contemplated under the above said G.O.Ms.No.22, dated 09.10.2014. A perusal of the said G.O clearly reveals that the Sarpanch of the village will be Chairman of the Janmabhoomi Committee.

5 Feeling aggrieved by the constitution of the Janmabhoomi Committees, the petitioner submitted a representation to the District Collector, Anantapur on 17.06.2016. The allegations made in the representation are that the other ward members of the Gram Panchayat passed a fake resolution and that one of the members of the Committee is residing in USA. The various queries raised by the learned counsel for the petitioner involve complexity of disputed questions of fact, which cannot be gone into by this Court while exercising jurisdiction under Article 226 of the Constitution of India. Hence I am not inclined to express any opinion with regard to the truthfulness or otherwise of the allegations made by the petitioner in view of the pendency of his representation before the 2nd respondent - District Collector.

6 The learned counsel for the petitioner submitted that the District Collector, Anantapur may be directed to dispose of the representation dated 17.06.2016 made by the petitioner.

7 Having regard to the facts and circumstances of the case, the second respondent is hereby directed to dispose of the representation of the petitioner dated 17.06.2016 in the light of the G.O.Ms.No.22 Planning (VII) Department, dated 09.10.2014 as early as possible, preferably, within a period of two months from the date of receipt of a copy of this order.

8 With the above direction, this Writ Petition is disposed of at the admission stage. No order as to costs. As a sequel, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

T. SUNIL CHOWDARY, J

Date: 21.07.2016

Kvsn