

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41544 OF 2016

DATED : 15.12.2016

Between :

KVR Government Junior College for Girls Welfare Association
Rep., by its Secretary Sri S.A.Salam,
Office at Door No.40-729-D, Dharmapeta,
Kurnool Town & District

Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Higher Education Department
Secretariat Buildings, Velagapudi,
Andhra Pradesh State & others.

Respondents



This court made the following :

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ORDER :

This writ petition is filed to declare the action of the respondent No.4 in raising the structures over the identified land which was proposed for construction of buildings to the petitioner college i.e., KVR Junior College for Girls, without specifying the reasons of the construction as illegal, arbitrary and contrary to law and violation of principles of natural justice and consequently direct the 4th respondent not to proceed with further construction over the identified land for KVR Junior College for Girls, station Road, Kurnool Town and District.

2. Petitioner claiming to be Girls Welfare Association, contends that on the premises, where the Degree and Junior colleges are located, now building is being constructed which is intended to be utilized for the Degree college and that no efforts are made to construct separate building for Junior College.

3. When the matter is taken up for consideration learned Assistant Government Pleader, placed before this Court the order of the Division Bench in PIL.No.285 of 2015 dated 28.03.2016. In para 5, the following directions, in so far as relevant for this case were issued :

“(a) The Principal Secretary, Higher Education, and the Principal Secretary, Department of School Education, State of Andhra Pradesh are directed to immediately review the facilities available in the Government schools and colleges in Kurnool district and consider the proposals submitted by the District Collector and

act upon said proposals within a time frame and at any rate within a period of two months from the date of receipt of copy of this order.

(d) The Principal Secretary to Government, Higher Education shall take immediate steps to allocate Ac.1.00 of land now forming part of Government Degree College, Kurnool to Government Junior College for Girls, Kurnool.”

4. Learned Assistant Government Pleader, also informs that the matter is under active consideration of the Commissioner of Collegiate Education, Andhra Pradesh with reference to allocation of land and appropriate decision would be taken.

5. Since already detailed directions are issued by this Court in PIL.No.285 of 2015, no further directions are required. Moreover, when the petitioner is aware of the earlier order passed by this Court in PIL, no averment is made in the affidavit about the earlier directions issued. Ignoring earlier directions of the Division Bench, the petitioner is raising objection for construction of building and claims that said land is earmarked for Junior College. Whereas no such decision is taken by the Government so far, and the matter is only under consideration of the Commissioner. Thus, no relief as sought for can be granted at this stage.

6. Hence, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

15th December, 2016
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