

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.9183 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the action of the respondents in proceeding with the laying of high tension electrical poles through the middle of the landed property of the petitioner in Sy.Nos.15/5, 16/2 and 3, 111/3, 4, 10, 9 & 10/2 at Lakshmipuram Village, Gollaprolu Mandal of East Godavari District, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and Sri N.Siva Reddy, learned standing counsel for respondents 6 and 7.

3. The petitioner claims that he is the owner of an extent of Ac.4.62 cents in Survey Nos.15/5, 16/2 and 3, 111/3, 4, 10, 9 & 10/2 of Lakshmipuram Village, Gollaprolu Mandal of East Godavari District. The contention of the petitioner is that the respondents herein have changed the original plan to lay the High Tension electrical poles, at the instance of some of the villagers. The learned standing counsel submitted that the petitioner has no right whatsoever to direct the respondents to change the plan. Admittedly, the petitioner herein submitted a representation to the respondents No.6 and 7 on 11.03.2016.

4. At the time of arguments, learned counsel for the petitioner submitted that the respondents may be directed to dispose of the representation of the petitioner dated 11.03.2016. The learned standing counsel also consented for the same.

5. In view of the submissions made by both the counsel, this Court is not inclined to go into the merits of the main case.

6. Having regard to the facts and circumstances of the case and also in view of the submissions made by both the counsel, the respondents 6 and 7 are hereby directed to dispose of the representation of the petitioner dated 11.03.2016, after affording an opportunity to the petitioner, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of copy of this order.

7. With the above direction, the writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

August 17, 2016.
Rns