

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 36931 OF 2016

ORDER:

Heard learned counsel for the petitioners; learned Government Pleader for Mines & Geology; learned Government Pleader for Home; and learned Government Pleader for Revenue.

2. It is the case of the petitioners that the villagers, who are 92 in number including the petitioners, were granted house site pattas in Survey No.164 of Kothapeta Lane, Palukuru Village, Banaganapalle Mandal, Kurnool District, and they have built houses therein. There are about 300 people living in and around Kothapeta Lane and that no objection certificates have been granted with respect to Survey Nos.162, 163 and 164 for carrying on quarrying operations. The distance between the living space and the area in which the quarry leases have been granted is only 30 metres and in view of the blasting that is being carried on in the mines, petitioners' houses are developing cracks and that there is also threat to their lives etc. Complaining these aspects, petitioners have submitted representation dated 28.03.2016 to the District Collector and other authorities. Since no action is taken on the said representation, petitioners have filed the present writ petition.

3. Learned Government Pleader objects granting of any order in the writ petition on the ground that the petitioners have mentioned

only the name of Sridevi Stone Crushing Unit as lease holder and that the beneficiary of the said lease holder has not been made as a party-respondent.

4. Having considered the submissions on behalf of the both the parties, I do not consider that the objections raised by the learned Government Pleader is sustainable in the facts of the present case.

5. What all has been claimed by the petitioners in this writ petition is only consideration of the objections raised by the petitioners in the grievance, which has been espoused by way of representation dated 28.03.2016. It is unfortunate that a citizen has to approach the courts seeking for directions to the authorities to dispose of the representations which have been made. As a matter of fact, in large number of cases the simple prayer before this court is only consideration of the representations/disposal of the applications, which have been made, resulting in filing of number of cases and piling up of cases before this court. In other words what is being complained of in the writ petitions is the inaction on the part of the authorities in redressing the grievances. Probably, this is one of the reasons for piling up of large number of cases before this court and the individual officers also do not have any responsibility as there is no citizens' charter, which would give a right to the citizens to demand service of which the respondent authorities are expected to give within a time frame.

6. In view of the present scenario of the cases that are being filed before this court, the first respondent shall bestow its attention to the aspect of these matters and in order to fix responsibility on the authorities concerned, shall take appropriate steps by fixing a time frame within which the said representations shall be considered and disposed of.

7. In the facts of the present case, this court deems it appropriate to dispose of the writ petition directing the respondent-authorities to consider the representation of the petitioners and pass necessary orders in accordance with law within four weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

JUSTICE CHALLA KODANDA RAM

October 31, 2016

LMV