

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.2472 of 2016

Dated 29.01.2016

Between:

Undurthi Udaya Kumar and another

... Petitioners

and

-

The State of Andhra Pradesh

rep. by its Prl.Secretary

Panchayat Raj & Rural Development Dept.,

Hyderabad and 5 others.

...Respondents

**Counsel for the petitioner:
Rao**

Mr.Gade Venkateswara

Counsel for respondent No.1: AGP for Panchayata Raj

The Court made the following:

Order:

This Writ Petition is filed for a Mandamus to declare the action of the respondents, in sanctioning an amount of Rs.45 lakhs for the development of approach road to Chinabeeravaripeta in Ummanavgarigaruvu of K.Pedapudi Gram Panchayat, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to utilize the said amount for

development of the Scheduled Caste areas in Kudupudivaripalem (S.C.Village) of K.Pedapudi Gram Panchayat, Ambajipet Mandal, East Godavari District.

At the hearing, the learned Assistant Government Pleader for Panchayat Raj (Andhra Pradesh) submitted, and in my view rightly, that the petitioners have not questioned the Resolution of the K.Pedapudi Gram Panchayat, in pursuance of which the impugned work has been sanctioned. Unless the Resolution is questioned, the petitioners are not entitled to grant of any relief. Moreover, the petitioners have not impleaded the Gram Panchayat concerned.

In view of the above, the Writ Petition is dismissed, however, with liberty to the petitioners to file a fresh Writ Petition by rectifying the above mentioned defects.

As a sequel to dismissal of the Writ Petition, WPMP.No.3111 of 2016, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 29th January, 2016

LUR