

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION Nos.44098 of 2016 & 18322 of 2017

COMMON ORDER:

Heard both sides and perused the material available on record. With the consent of learned counsel for both the parties, these two writ petitions are disposed of by way of a common order since the subject matter of these two writ petitions is one and the same.

2. These two writ petitions are filed by the petitioners, under Article 226 of the Constitution of India, seeking to declare the action of the official respondents in allowing the unofficial respondents in making construction of temples in the name and style of Sree Vaasavi Kanyakaaparameswari Devi, Sree Nagareswara Swamy, Sree Gurudatthathreeya Sahitha Anjaneya Swamy Temple in the public place earmarked for the Park as per layout of Prashanth Nagar Colony admeasuring 422 Square Yards in Survey Nos.38, 39, 89 & 90, situated at Nagaram Village and Grama Panchayat, Keesara Mandal, Medchal District, Telangana State, without any permission from the concerned authorities or calling objections from the general public as illegal, biased and capricious and consequently direct the official respondents to stop the construction being made by the unofficial respondents in the aforesaid plots forthwith to meet the ends of justice.

3. The case of the petitioners is that originally land to an extent of 62820 square yards, situated at Nagaram Village, which belonged to one S. Balaiah and others was made into plots under layout and the said layout consist of 208 plots with two parks and

some other open places and the petitioners had purchased house sites in Survey Nos.38, 39, 89 & 90 of Nagaram Village and Gram Panchayat, Keesara Mandal, Medchal District, Telangana State, in the layout, which was named and styled as Prasanth Nagar Colony. It is further case of the petitioners that the petitioners came to know that the committee of the Prashanth Nagar Welfare Association has performed Bhoomipuja on 14.12.2016 to erect temples in the name and style of Sree Vaasavi Kanyakaaparameswari Devi, Sree Nagareswara Swamy, Sree Gurudatthathreeya Sahitha Anjaneya Swamy Temple in the Prasanth Nagar Colony, in the place earmarked for park, which is located between the aforesaid plots of the petitioners. It is further case of the petitioners that the respondent Temple i.e., Sree Aaryavysya Vaasavi Kanyakaaparameswari Society had also obtained permission for construction of the said temples from the concerned authorities i.e., the Sarpanch & and the Panchayat Secretary, Keesara Mandal, Medchal District, Telangana State, as per G.O.Ms.No.67, dated 26.02.2002 and G.O.Ms.No.274, dated 12.06.2007, of the Panchayat Raj and Rural Development (PTS.IV) Department.

4. The main grievance of the petitioners is that the petitioners have also submitted several representations to the official respondents, but so far no action is taken against the unofficial respondents and the same are pending.

5. When the matter is taken up for hearing, it is informed by the learned Standing Counsel for the respondent Gram Panchayat that the construction in question in the subject land is

proceeded by the unofficial respondents in accordance with the permission granted by the Gram Panchayat, Keesara Mandal, Medchal District, Telangana State.

6. Recording the said submission, both the Writ Petitions are dismissed. No costs. Consequently, Miscellaneous petitions pending, if any, in these two writ petitions shall stand closed.

RAJA ELANGO, J

Date: 3rd July, 2017

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