

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.4436 OF 2007

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the action of the 3rd respondent in allotting the Gram Panchayat green lands land, as illegal and arbitrary.

Heard and perused the material available on record.

It is the case of the petitioner that the Mahabubabad Grampanchayat is a major Grampanchayat and it has got certain properties including open lands in the village. The 4th respondent is the Taapi Mestri Sangam and it made a representation in the year 2004 to the 3rd respondent to allot green lands land of the Grampanchayat to it for construction of its office. The then members of the Grampanchayat passed resolution on 21.02.2004 unanimously rejecting the request of the 4th respondent. Thereafter, the 4th respondent again submitted a fresh representation to the 3rd respondent and the 3rd respondent has passed a resolution on 06.01.2007 allotting the green lands land to the 4th respondent. Aggrieved over the same, the petitioner and other villagers made a representation on 12.02.2007 to the 1st respondent opposing the allotment of the said land, which is a public land, to the 4th respondent. But, no action has been taken by the 1st respondent so far.

Learned counsel for the petitioner mainly contended that the public place was allotted to the 4th respondent by the 3rd respondent vide resolution dated 06.01.2007 though most of the members opposed the same, and that the representation of the petitioner is pending before the 1st respondent without taking any action against the

unauthorized action of the 3rd respondent, and that the 1st respondent may be directed to consider the representation of the petitioner and pass appropriate orders within a specific period of time.

Learned Government Pleader for Panchayat Raj submitted that the respondents will consider the representation of the petitioner.

Considering the submissions of the learned counsel for both sides, without expressing any opinion on merits, this Court is of the view that the writ petition can be disposed of with the following direction:

The 1st respondent is directed to consider and pass appropriate orders on the representation, dated 12.02.2007, made by the petitioner and other villagers, as expeditiously as possible, preferably, within a period of eight (8) weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

August 10, 2017
KTL

RAJA ELANGO, J