

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.15943 OF 2017

ORDER:

The petitioner, who claims to be a Trustee of the Ganugachettu Vinayaka Devasthanam, filed the present writ petition challenging the construction of building pursuant to the proceedings dated 10.02.2017, without taking into consideration the earlier resolution dated 06.01.2014 of the fifth respondent – Gram Panchayat.

It is the case of the petitioner that during the Godavari Pushkaralu, the Tirumala Tirupati Devasthanam sanctioned Rs.31,00,000/- to the said temple for construction of Kalyana Mantapam, to perform daily rituals of Abhishekam Pooja etc. Pursuant to the said sanction, the Temple Committee approached the fifth respondent - Gram Panchayat and the Gram Panchayat passed a resolution on 06.01.2014 to allot the adjacent land of the temple to the temple and permitted to construct a building in Survey No.94. Pursuant to the said resolution, land was identified and also demarcated by the Gram Panchayat and the Temple Committee was also permitted to proceed with the construction. While so, the second respondent issued the proceedings dated 10.02.2017 according administrative sanction to various works including the work relating to the construction of Gram Panchayat building with a maximum estimated cost of Rs.15,00,000/-. When the building is being constructed for Gram Panchayat by virtue of the said proceedings dated 10.02.2017, contrary to the resolution dated 06.01.2014 of the fifth respondent – Gram Panchayat, the present writ petition is filed.

The In-charge Panchayat Secretary of the fifth respondent – Gram Panchayat filed a counter affidavit denying the averments made in the affidavit filed in support of the writ petition. It is stated that the resolution passed by the Gram Panchayat on 06.01.2014 pertains to the recommendation to the

concerned authorities and it is not permission to the sixth respondent for construction of any building. The Gram Panchayat is not having any own building and is running its office in a Library situated in Survey No.93. The Gram Panchayat passed a resolution on 21.01.2017 identifying the land in Survey No.102 for construction of Gram Panchayat building and sent the proposal to the District Collector for sanction. Accordingly, sanction was granted *vide* proceedings dated 10.02.2017. The land on which the Gram Panchayat building is being constructed is Government land and does not belong to the temple.

In view of the averments made in the counter affidavit, this Court does not find any reason to grant the relief sought for by the petitioner and the writ petition is totally misconceived.

The writ petition is accordingly dismissed. Consequently, miscellaneous petitions pending, if any, shall also stand dismissed. No costs.

Date: 08.08.2017
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A.RAMALINGESWARA RAO, J

