

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.15687 OF 2017

ORDER:

This Writ Petition is filed by the petitioner with the prayer which reads as follows:-

“To issue an appropriate Writ or order or direction, more particularly one in the nature of Writ of Mandamus, declare the action of the 2nd respondent in not considering the representations of the Petitioner Association dated 06.01.2016 and 17.02.2017 and not passing orders by directing the 4th respondent Gram Panchayat to implement the earlier orders of the 2nd respondent Rc.No.3475/2012-A, dated 31.01.2012 and thereby permit the Petitioner Association to complete the construction of Ground Floor and thereafter take over the possession of the same, is arbitrary and unreasonable and consequently direct the 2nd respondent to consider the representations of the Petitioner Association dated 06.01.2017 and 17.02.2017 and pass orders by directing the 4th respondent Gram Panchayat to implement the orders of the 2nd respondent Rc.No.3475 of 2016/A, dt.31.01.2012 and thereby permit the Petitioner Association to complete the construction of Ground Floor situated in L.P.No.6 of 2004, Old Gaigolupadu, Ramanayyapeta Gram Panchayat, Kakinada Rural Mandal, East Godavari District and to pass such other and further orders as this Hon’ble Court deems fit and proper in the circumstances of the case.”

Heard learned counsel for the petitioner and also the learned Govt. Pleader for Panchayat Raj representing respondents 1 to 3 and Sri Ravi Cheemalapati, learned Standing Counsel offers to file vakalath from instructions on behalf of 4th respondent before ordering notice to the unofficial 5th respondent and perused the prayer in the Writ Petition, including supporting affidavit and other material on record.

Though it is the prayer impugning the action of the 2nd respondent in not even considering the representations pursuant to the orders in Rc.No.3475/ 2012-A, dated 31.01.2012 in saying

having permitted the Petitioner Association to complete the construction of Ground Floor, thereafter taking over the possession of same is arbitrary and illegal, it is the submission that the representation made on 06.01.2016 and 17.02.2017 are still pending without considering much less by passing appropriate orders. The learned Govt.Pleader submitted that if at all any direction is given for disposal of the representations, they have no objection on own merits in disposing the same.

Having regard to the above, the Writ Petition is disposed of as prayed for, without going into the merits of the so called impugned action of the 2nd respondent, directing the 2nd respondent to dispose of the representations supra of the petitioner preferably within four (4) weeks on own merits. Any further grievance is left open. As a sequel, miscellaneous petitions if any pending in this Writ Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.28.06.2017,
Note: Issue copy by tomorrow (29.06.2017)
b/o. vvr.