

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.14276 of 2013

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the action of the respondents in not considering the claims of the petitioners for inclusion of A.Narayanapuram & Kakkalapalli Gram Panchayats into the Anantapur Municipal Corporation as illegal and arbitrary and consequently direct the respondents to take action for inclusion of the Gram Panchayats into Anantapur Municipal Corporation as per the Rules framed in G.O.Ms.No.63 Municipal Administration & Urban Development (Elec.11) Department, dated 18.20.2006.

2. Heard the learned counsel for petitioners, learned Government Pleader for Municipal Administration & Urban Development for respondents 1 & 2, learned Government Pleader for Revenue for the 3rd respondent and Sri S.D. Goud, learned Standing Counsel for the 4th respondent Municipal Corporation and with their consent, the writ petition is taken up for disposal at the stage of admission.

3. The case of the petitioners is that the petitioners are native and residents of A.Narayana Puram Village and Kakkalapalli Village. The 1st respondent vide G.O.Ms.No.86, Municipal Administration & Urban Development (Elec.II) Department, dated 23.02.2005, has called for objections from the villagers for merger of the Gram Panchayats mentioned therein. The District Panchayat Officer, vide letter in R.C.No.12182005, dated

27.08.2005, has requested the Gram Panchayats to send their willingness for merger of Gram Panchayats into Municipal Corporation of Anantapur. The Gram Panchayats have passed resolutions bearing Nos.142 & 102, dated 26.12.2009, for inclusion of Gram Panchayats into Anantapur Municipal Corporation and forwarded the same to the District Collector (3rd respondent). The 3rd respondent vide letter, dated 09.02.2010, has forwarded the resolutions of the Gram Panchayats for inclusion into Municipal Corporation along with his recommendations to the 2nd respondent.

4. The main grievance of the petitioners is that even though the 3rd respondent has forwarded the resolutions passed by the Gram Panchayats with his recommendations as long as back on 09.02.2010, the 2nd respondent has not taken any action. The petitioners have also submitted representation, dated 26.03.2013, to the 3rd respondent for inclusion of their Gram Panchayats into Municipal Corporation, but so far, no action is taken thereon and the same is pending.

5. When the matter is taken up, both the learned counsel agreed for disposal of the writ petition with a direction to the 3rd respondent to expeditiously dispose of the representation of the petitioners.

6. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing the 3rd respondent to consider the representation of the petitioners, dated 26.03.2013, pass appropriate orders, as warranted by law, as expeditiously as possible, preferably within a

period of six (6) weeks from the date of receipt of a copy of this order and communicate the decision to the petitioners. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO,J

Date: 5th June, 2017

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