

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.2785 OF 2013

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ or order or direction, more particularly one in the nature of writ of mandamus, declaring the action of the 3rd Respondent vide his Proceedings R.C.No.3704/2012/D8 dated 21.01.2013 is arbitrary, bad and illegal and without application of mind and without any jurisdiction and violation principles of natural justice and violation of Article-14 of the Constitution of India and contrary to the A.P. Gram Panchayat Act, consequently Proceedings of the 3rd Respondent is liable to be quashed in the interest of justice.”

2. When the matter is taken up for hearing, it is informed by the learned counsel appearing on both sides that the matter is settled out of Court. Learned counsel for the petitioners also filed a memo wherein it is stated as follows:-

“... the purpose of filing of writ petition is that allotment of auction amount of sand quarry pertaining to the petitioners of Gram Panchayat namely Vallurupalem Village of Thotlavalluru Mandal unilaterally half of the amount has been deposited by the Panchayat Raj Department into our Gram Panchayat and rest of the amount is proposed to deposit in favour of Thotlavalluru Gram Panchayat and then we have filed a writ petition and obtained stay order and from there onwards either Gram Panchayats have not utilized the amount already deposited in their account. Similarly the balance amount is not deposited before the Thotlavalluru Gram Panchayat. Though 4 years have been elapsed, no

progress has been taken place. In the meanwhile the State of Andhra Pradesh has been bifurcated by way of A.P. Reorganization Act and new capital has been located at Amaravati in which CRDA limits have been fixed and new Sand Policy is introduced, thereby public can take sand free of cost.

In view of the above development, the elders of both Panchayats have sit together and discussed at length as the Government has decided not to collect any amounts in respect of sand from any reach. Therefore, both the panchayats have decided to share the balance amount equally to invest the same for the purpose of development activities of their respective Gram Panchayats and it will be used for public welfare purpose i.e., formation of BT Roads, Electricity, Drainage, Drinking Water, Library etc. Hence, both the petitioners and the Panchayat Sarpanch of Thotlavalluru Gram Panchayat as well as the Panchayat Sarpanch of Vallurupalem Gram Panchayat have come forward to settle the issue amicably by distributing the amount equally to two Gram Panchayats.”

3. Recording the submission of the learned counsel appearing on either side, this Writ Petition is disposed of, as settled out of Court. There shall be no order as to costs.

4. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

Date : 19.07.2017
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.2785 OF 2013

Date: 19.07.2017

AMD