

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.23249 of 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a direction to the 3rd respondent to implement the proceedings of the 2nd respondent dated 08.12.2016 by entering into the fresh agreement or basing on the agreement dated 03.03.2016 for a period of six months for de-casting of sand in the patta lands of the petitioners.

The case of the petitioners is as follows:

The petitioners, who are having lands to an extent of Ac.3.39 gts in Sy.No.1 of Thatikoli village, Devarakonda Mandal, Nalgonda District and who are agriculturists, made an application to the 2nd respondent on 01.09.2015 seeking permission to de-cast sand from their lands. Basing on the recommendations by the department, the 2nd respondent granted permission on 23.02.2016. Basing on the proceedings of the 2nd respondent dated 23.02.2016, the petitioners entered into agreement with the 3rd respondent on 03.03.2016. On the objection made by the villagers that such de-casting will decrease the water level, an enquiry was conducted and report was submitted stating that there may not be any such water problem. On that, the 2nd respondent directed the 3rd respondent to proceed on the earlier proceedings dated 23.02.2016. But the 3rd respondent is not implementing the proceedings of the 2nd respondent. Against the inaction of the 3rd respondent, the petitioners made a representation on 03.07.2017. But the said representation has not been considered so far. Hence, the petitioner filed this writ petition.

Heard and perused the material available on record.

The main grievance of the petitioners is that they made a representation before the authorities concerned. But no orders have been passed so far.

Considering the circumstances of the case and the grievance of the petitioners, this Court is inclined to pass the following order:

“The respondents concerned are directed to consider the representation of the petitioners and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.”

Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

July 20, 2017
KTL



RAJA ELANGO, J