

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.21112 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a Writ, order or direction, one more particularly in the nature of a writ of Mandamus declaring the inaction of the 2nd respondent in not disposing the representation of the petitioner dated 23-05-2017 as illegal, arbitrary and unconstitutional and consequently direct the 2nd respondent to dispose of the representation of the petitioner dated 23-05-2017.”

2. Heard learned counsel for the petitioner and learned Government Pleader for Panchayat Raj, representing respondents 1 and 2 and Sri Ravi Cheemalapati, learned standing counsel, he already taken time to file vakalat but did not file, however, stating got instructions on behalf of the respondents 3 and 4 and perused the prayer in the writ petition with supporting affidavit.

3. The learned counsel for the petitioner places reliance on G.O.Ms.No.102, dated 03.11.2015 and the petitioner made the representation dated 23.05.2017, that was acknowledged by 3rd respondent on 24.05.2017, leave about the earlier representation by the writ petitioner's husband among others on the same issue.

4. The grievance is that against the said G.O.Ms.No.102, unless 50% of the amount required to be spent is contributed by the private persons, the inscribing the names of any private person in the building does not arise. However, so far as this Bhavana Rushi Kalayana Mandapam in question concerned, where the community hall of Rajaka Community constructed, which is named as Nallamilli Moola Reddy Sathayavathy Community Hall and they did not contribute for any of the two buildings, the required 50% of the cost of construction and the further representation of the petitioner dated 23.05.2017 referring to the earlier representation of her husband and others dated 20.02.2017 not attended.

5. From hearing of the learned Government Pleader and the learned standing counsel for the Panchayat Raj and Mandal Parishad Development Officer concerned, they are not choosing to dispute the said G.O. in question and its implementation, which prescribes the norms including the grievance expressed by the petitioner supra.

6. Having regard to the above, this writ petition is allowed, with a direction to the respondents to dispose of the said two representations dated 20.02.2017 and 23.05.2017 of the petitioner and her husband among others, by passing appropriate reasoned orders thereon and communicate to the petitioner, within one month from the date of receipt of the

order. Further grievance of the petitioner if at all is left open, unless the same is rectified by the authorities concerned pursuant to the said G.O.

7. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO, J

17.07.2017
SS

