

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.NO.40260 OF 2016

O R D E R

Heard the learned counsel for the petitioner and the learned Government Pleader for Municipal Administration for the respondents.

Petitioner is a Church, represented by its President and Custodian. Present writ petition is filed objecting the construction of public convenience facility (public toilets) on the ground that the same is being made adjacent to the property of the petitioner.

The learned Government Pleader submits that the construction for public convenience is on the municipal land and the maintenance of the same has been entrusted to Sulab, which is a Non-Governmental Organization, which undertakes these types of jobs. The learned Government Pleader further submits that the authority representing the petitioner, has also expressed willingness to make contributions towards the maintenance of the public convenience.

Having regard to the respective submissions and considering the fact that admittedly the construction has already been made on the municipal land, there cannot be any objection for the petitioner, merely on the ground that the construction of public convenience is made adjacent to its property. In the absence of such facility, there is every possibility of the general public attempting to use the vicinity of the property of the petitioner, to ease themselves. As a matter of fact, the construction for public convenience, would be in the interest of the petitioner.

In view of the above facts and circumstances, as no grievance is made out by the petitioner, the writ petition is closed.

It is needless to mention that the 2nd respondent – Municipality shall ensure proper maintenance of public facility.

No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

CHALLA KODANDA RAM,J

DATE:23.01.2017

AVS

