

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 10454 of 2016

ORDER:

- 1) The present writ petition came to be filed seeking issuance of writ of mandamus directing the official respondents to take action on the representation dated 28.03.2016 made by the petitioner as per law; and to stay the transportation of mud from the common tank by the un-official respondent.
- 2) By an order dated 31.03.2016 this Court granted interim direction namely to stop transportation of mud from common tank of Sripuram Village, Medikonduru Mandal, Guntur District, by the un-official respondents.
- 3) At the time when the matter is taken up for hearing, it is stated that subsequent to the order passed by this Court, the un-official respondents have obtained work permit and they have desilted the mud from the bank. The same is disputed by the learned counsel for the petitioner stating that the un-official respondents have not executed any work pursuant to interim orders.
- 4) The request of the petitioner is that his representation dated 28.03.2016 seeking action taken for illegal transportation of mud from the common tank of Sripuram Village, may be directed to be considered at the earliest.

5) Having regard to the facts and circumstances of the case, the present writ petition is disposed of directing the District Collector, Guntur, to consider the representation dated 28.03.2016, if any made by the petitioner, in accordance with law, as expeditiously as possible, preferably, within a period of eight (08) weeks from the date of receipt of a copy of the order, after hearing the petitioner, un-official respondents and all other aggrieved person.

6) The grievance of the petitioner is that in view of the interim order passed by this court, the un-official respondents could not execute the work permit. If the interim order is vacated, there is every likelihood of de-silting of sand from the said tank pursuant to the work order. Hence, the said apprehension of the petitioner cannot be ruled out at this stage. Having regard to the above, the petitioner shall immediately move the District Collector, Guntur, for passing appropriate orders by making another representation, in which event the Collector shall pass orders, as expeditiously as possible, preferably, within a period of two (02) weeks from the date of application. Till such time *status quo* as on today shall be maintained.

7) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

09.02.2017
gkv

