

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.42826 OF 2017

ORDER:

This Writ Petition is filed seeking to declare the action of respondent authorities in not taking action against respondent No.7 for establishing the Wind Power Fans within the jurisdiction of petitioners' Gram Panchayat without obtaining No Objection Certificate in terms of Section 120 of the A.P. Panchayat Raj Act, 1994, as illegal and arbitrary.

2. The Writ Petition is misconceived. If respondent No.7 has not fulfilled the conditions and violated the provisions of the Act, it is open to the respective Gram Panchayats to take action in accordance with law, and they cannot seek direction against respondent No.7, who is a private respondent. Further, on that ground, the proceedings, dated 23.03.2015, issued by respondent No.2 in favour of respondent No.7 also cannot be set aside.

3. Accordingly, the Writ Petition is dismissed. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

December 18, 2017
MD