

HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.41675 of 2017

ORDER.

This Writ Petition is filed seeking the following relief:

“.... to issue a Writ, Order or Direction more particularly one in the nature of Writ of *Mandamus* declaring the action of the 4th respondent in not taking action against respondent Nos.6 and 7 in illegally excavating and transporting the sand from the petitioners lands' without any permission either from the 4th respondent or 5th respondent from the petitioners' lands in Sy.No.251/A to an extent of Ac.1.94 cents situated at Padi (Padipeta) Village, Tirupathi Rural Mandal, Chittoor District, in spite of the petitioners' representation dated 06.11.2017 as illegal, void and opposed to Articles-14, 19, 21 and 300-A of the Constitution of India and consequently, to direct respondent Nos.1 to 5 to take necessary action against respondent Nos.6 and 7 for illegal excavation and transportation of the sand from the petitioners' land in accordance with law.”

Learned counsel for the petitioners would submit that the complaint in the Writ Petition is about the illegal and unauthorized excavation and transportation of sand from the petitioners' land by respondent Nos.6 and 7, despite civil litigations pending between the parties. He would further submit that despite the representation dated 06.11.2017, of the petitioners, the official respondent Nos.1 to 5 are not initiating

any action against such unauthorised and illegal acts of respondent Nos.6 and 7.

Learned Government Pleader for Revenue (Andhra Pradesh) appearing for respondent Nos.1 to 4, on instructions, would submit that the authorities concerned would consider and dispose of the representation, dated 06.11.2017, of the petitioners in accordance with the procedure established by law.

Learned counsel for the petitioners endorses the aforesaid submission.

Having regard to the facts of the case and the submissions of the learned counsel, respondent No.4 is directed to consider and dispose of the representation, dated 06.11.2017, of the petitioners within four weeks from the date of receipt of a copy of this order, however, in strict accordance with the procedure established by law and communicate the decision taken thereon to the petitioners within a week thereafter. In the event, it is noticed that the excavation of sand being done by respondent Nos.6 and 7, if any, is illegal, the respondent-authorities concerned shall initiate action against them in strict accordance with the procedure established by law.

As a sequel, the Miscellaneous Petitions, if any, pending shall stand dismissed.

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*JUSTICE M.SEETHARAMA MURTI*

*14<sup>th</sup> December 2017*

*Note:*

*Issue CC in two days.*

*B/o*

*DR*

