

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION Nos. 3238 and 3282 of 2018

COMMON ORDER:

These two writ petitions are filed seeking to declare the action of respondent No.3 in insisting the petitioners to shift their shops to the allocated place as they are carrying on business in selling chicken and pork, which is objectionable.

Learned counsel for the petitioners submits that no notice was issued to the petitioners and the petitioners are being forced to shift their shops without following due process of law.

Learned Standing counsel for the Gram Panchayat produced before this Court the relevant material, a perusal of which indicates that the Gram Panchayat issued a notice, dated 26.10.2016, to the petitioners and passed a resolution on 29.10.2016 and the petitioners have also undertaken to shift their shops on or before 31.10.2016 to the allocated place and they have signed the undertaking. In view of the same, the petitioners cannot contend that no notice was issued to them.

Having considered the respective submissions, having gone through the notice as well as the resolution of the Gram Panchayat dated 29.10.2016 and also the undertaking, by which, the petitioners themselves agreed to shift their shops to the allocated place and in view of the fact that the Gram Panchayat is empowered to take into consideration the ground realities, this

Court is of the view that there is no arbitrariness in directing the petitioners to shift their shops to the allocated place.

In those circumstances, the writ petitions are devoid of merit and the same are accordingly dismissed.

Miscellaneous petitions, if any, pending in these writ petitions shall stand dismissed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:06.02.2018

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