

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 5875 of 2018

ORDER :

This Writ Petition is filed to declare the action of respondents 2 to 4 the District Collector and the District Panchayat Officer, Sangareddy District and the Mandal Parishad Development Officer, Jinnaram Mandal in trying to bifurcate the 5th gram panchayat without considering the representation of the petitioner dated 06.11.2017 made for bifurcation of Kistaipally Village from the 5th respondent Gaddapotharam Gram Panchayat, as illegal and arbitrary.

It is the case of the petitioner that originally, Kistaipally Village was the gram panchayat earlier and the villages, namely Gaddapotharam, Chetlapotharam and Allinagar were attached to the said gram panchayat. Subsequently, Gaddapotharam was upgraded as gram panchayat and the remaining villages including Kistaipally have become the attached villages. While so, to resolve the controversy between the villages, the villagers of the 5th respondent gram panchayat have resolved to bifurcate Kistaipally village from the said gram panchayat and hence, on 06.11.2017, made a representation to Respondents 2 to 4 to bifurcate the said village from the 5th respondent gram panchayat, as it is causing injustice to the villagers of the 5th respondent gram panchayat, but Respondents 2 to 4 without following the procedure prescribed under the Telangana Panchayat Raj Act 1994, have been undertaking bifurcation of gram panchayats and in the process, failed to consider the representation, contends the petitioner.

Heard learned counsel for the petitioner as well as Sri G. Narender Reddy, learned Standing Counsel for the 5th respondent.

It seems the petitioner has approached this Court on a mere apprehension. As on date, the respondent authorities have neither initiated proceedings nor taken any action for bifurcation of the gram panchayat.

In that view of the matter, the Writ Petition is closed as it is premature. Since the bifurcation of gram panchayats involves prescribed procedure under the Act and since, at each stage, every citizen has certain rights, as and when any action is taken for bifurcation, the petitioner is at liberty to file his objections, which shall be considered by the respondent authorities in accordance with law. No costs.

Consequently, the miscellaneous Applications, if any shall also stand closed.

CHALLA KODANDA RAM, J

23rd February 2018

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