

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6392 of 2018

ORDER:

The grievance of the petitioners in this writ petition is that respondent No.2-Gram Panchayat is proposing to construct a toilet block (wet) in the residential area of Pyalakurthy Village, Kodumur Mandal, Kurnool District.

Heard the learned counsel for the petitioners.

Learned Standing Counsel appearing for respondent No.2 has placed before this Court the instructions received from the Panchayat Secretary of respondent No.2, which read as under:

1. The Gram Panchayat demolished the dry toilets and proposed to construct wet toilets to maintain cleanness in the village.
2. The villagers approached the local parliament member with request to sanction the amount under MPLADs for construction of wet toilets.
3. Accordingly, the local Parliament Member sanctioned an amount of Rs.5,00,000/-.
4. The District Collector has to give administrative sanction for construction of wet toilets.
5. After administrative sanction issued by the Collector, the Gram Panchayat will pass resolution and will take decision with regard to the place.
6. Without any proof and in the absence of decision/resolution of the Gram Panchayat, the petitioner approached this Hon'ble Court to stop the developmental works on political grounds.
7. The Gram Panchayat will construct wet toilets after administrative sanction issued by the District Collector and after selecting the place by the Gram Panchayat.
8. The subject place is vested with the Gram Panchayat and the same is an existing dry toilet which was demolished by the Gram Panchayat and the petitioner has no right to question the same.

In the light of the above, it is clear that respondent No.2 has not identified the place where the toilet could be constructed. Even otherwise, the petitioners cannot have any objection for construction of toilet block (wet) as it is the policy decision of the Government to provide toilets to the needy people to discourage open defecation.

In those circumstances, the writ petition is closed.

Miscellaneous petitions, if any, pending in this writ petition shall also stand closed. There shall be no order as to costs.

Dt:15.03.2018

kdl

CHALLA KODANDA RAM, J



