

HONOURABLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No.1701 OF 2016

ORDER :

This writ of mandamus filed by the petitioners 1 and 2 seeking a direction to the respondents 5 and 6 to receive the complaint lodged by the petitioners on 13/01/2016 and take appropriate action accordingly and a further direction to the sixth respondent not to destruct the tombs constructed in survey No. 464, in an extent of Acs:1-10 cents in Gundlapalli village, Nakarikallu Mandal, Guntur district.

2. This is a writ petition filed in the year 2016. There was no representation on 26/02/2016 on behalf of the petitioners and even on 19/4/2016, therefore, the matter is posted under the caption “for orders”.

3. Heard the learned Assistant Government Pleader for Home and perused the material on record.

4. The petitioner filed an affidavit stating that he is the Ex-serviceman, aged about 45 years and resident of Nakarikallu Mandal, Guntur district. He filed the present writ petition questioning the inaction of the fifth respondent in not receiving the complaint lodged by him and questioning the action of the sixth respondent in trying to demolish the tombs constructed by him in memory of his parents. The petitioners belongs to Christian faith and they constructed the tombs in memory of deceased parents. It is stated in the affidavit that the Government of Andhra Pradesh proposed to construct a burial ground christened as “Swargapuri”, and entrusted this work to some Government officials and they are making hectic efforts to destroy the

tombs constructed by the petitioners and others. Aggrieved by the action of the State Government the petitioner has preferred this writ petition for a direction to the respondents 5 and 6 by filing a complaint before the Police on 13/1/2016.

5. In view of the submissions made by the learned Assistant Government Pleader for Home, since the Police did not receive any complaint in that regard and there is no material on record to show that no receipt is filed for sending the complaint or acknowledgement showing the receipt of the complaint by the Police.

6. The learned Assistant Government Pleader further submits that the cause was in the year 2016 and whether the cause is surviving or not has not been brought to the notice of this Court either by the petitioners or the sixth respondent. It is further submitted that there is no interim order in this writ petition and the proceedings sheet shows that personal notice to the respondents by registered post with acknowledgement due was ordered on 09/2/2016. If the petitioners are aggrieved by any action of the Government and if they got sufficient material they may file a fresh complaint before the concerned authority for redressal of their grievance.

7. With the above observation, the writ petition is disposed of. No costs.

8. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

GUDISEVA SHYAM PRASAD.

HONOURABLE SRI JUSTICE GUDISEVA SHYAM PRASAD



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