

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.11207 of 2018

ORDER:-

This writ petition is filed for the following relief:

“... to issue Writ, Order or Direction, especially one in the nature of Writ of Mandamus declaring the action of the 4th respondent in not shifting the Animal Caze (Gopalamitra Veterinary Centre) from Chowdary's Ramalayam Street, Karakuduru village, Pedapudui Mandal, East Godavari District, inspite of the resolution dated 16.02.2018 passed by the 4th respondent Grampanchayat being run by 6th respondent as illegal, arbitrary, violative of provisions of Andhra Pradesh Panchayat Raj Act, 1994 and Rules made thereunder, and consequently direct the 4th respondent to shift the Animal Caze (Gopalamitra Veterinary Centre) From Chowdary's Ramalayam Street, Karakuduru village, Pedapudui Mandal, East Godavari District and to pass such other order or orders as this Hon'ble Court may deem fit and proper.”

Counter affidavit, deposed by the Panchayat Secretary, Gampanchayat, Karakuduru, is filed. Paragraph No.11 of the said Counter affidavit reads as under:-

“It is submitted that, the averments so made in para 10 of the affidavit filed in support of the Writ Petition are all untenable and the petitioners herein are put to strict proof of the same. It is submitted that, the shifting of the caze is under progress and due to financial year ending the same was not happened so far. Even the issue was sent to Mandal Engineering

Office asking for estimation through letter dated 22.02.2018 (The said letter is herewith filed and the same may be read as part and parcel of this affidavit). It is submitted that, there are other issues where the Gram Panchayat is clearing the bills for the works already done and one by one the Gram Panchayat is completing the works and shifting of case will be done in due course that too at the earliest. The said fact was very much known to the petitioners herein and in spite of it filed the present Writ Petition with all untenable and baseless grounds.”

Having regard to the averments made in the counter affidavit at paragraph No.11 and taking into consideration the submissions made by the learned Counsel appearing for the petitioners and the learned Standing Counsel for the Gram Panchayat, this Court deems it appropriate to dispose of the Writ Petition with a direction to the respondents to complete the process, as expeditiously as possible..

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date: 17.04.2018
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