

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.10831 of 2013

ORDER:

Heard learned counsel for the petitioner and the learned counsel for respondents.

The petitioner prays for the following relief :-

“.....to issue a Writ or Order or Direction, especially one in the nature of Writ of Mandamus, declaring the action of the 1st respondent in issuing G.O.Ms.No.99 Municipal Administration & urban Development (Elec.II) Department, dated 19.03.2013 and consequential order of the 4th respondent issued in Rc.No.3401/ 09/ A4 dated 04.04.2013 as illegal and arbitrary.....”.

When the matter is taken up for hearing, learned counsel appearing for parties submit that the prayer in the instant writ petition is squarely covered by the Division Bench judgment of this Court in PIL Nos.359 of 2013 and batch dated 29.07.2013 and request for disposing of the instant writ petition in terms thereof.

On 29.07.2013, the Division Bench disposed of PIL Nos.359 of 2013 and batch by observing as follows :-

“In my view, on this ground, the decision taken in accordance with law cannot be scrutinized by the Court. It is the decision of the Government that some areas should be brought within the municipal area so as to bring them within the urban life. This policy decision, unless it is absolutely mala fide and with an oblique motive, cannot be examined by the Court. However, we direct the respondent authorities to extend all the civic facilities and amenities, as are available to other areas of the municipal corporation, to these newly brought areas”.

The writ petition is accordingly disposed of in terms of the order dated 29.07.2013 in PIL Nos.359 of 2013 and batch.

Miscellaneous Petitions pending, if any, shall stand dismissed.

There shall be no order as to costs.

KONGARA VIJAYA LAKSHMI, J

Date: 12.11.2018

Prv

