

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.28348 OF 2016

Date: 24.01.2018

Between:

B.Kondala Rao s/o. Sambasiva Rao,
Aged about 38 years, Member – 2nd Ward of
Edlapadu Gram Panchayat, Edlapadu village
and Mandal, Guntur district.

.....Petitioner

and

The State of Andhra Pradesh, r ep.by its
Principal Secretary, Panchayat Raj and
Rural Development Department, Secretariat,
Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner is a Ward Member of Edlapadu Gram Panchayat. He is aggrieved by resolution passed by the Gram Panchayat on 28.06.2016 proposing to construct Gram Panchayat Office building at particular location mentioned in the said resolution. According to petitioner, already a place was identified and part construction was also raised and there is no justification to shift the location of the building. Aggrieved by the said resolution, petitioner and others filed review petition before the Government under Section 246 of A.P. Panchayat Raj Act, 1994 on 12.07.2016. They have also sought suspension of resolution of Gram Panchayat dated 28.06.2016. Alleging inaction by the revisional authority on the prayer to grant order pending revision and that Gram Panchayat is undertaking construction, this writ petition is filed.

2. This Court by order dated 29.08.2016, granted interim direction not to proceed with the construction of Gram Panchayat Office in Sy.No.322/B of Edlapadu village.

3. Praying to vacate the said interim order, Government filed WVMP No.3196 of 2017 and Gram Panchayat filed WVMP No.3829 of 2016.

4. WPMP No.39579 of 2017 is filed by the Edlapadu Villagers to implead them as respondents 5 to 18. They have also filed WVMP (SR) No.138281 of 2017 to vacate the said interim order.

5. When the matter is taken up for consideration, learned Government Pleader produced the orders of the Government in

Memo No.3364/Pts.I/A1/2017, dated 28.07.2017. By this Memo, Government refused to cancel resolution No.15, dated 28.6.2016 passed by the Gram Panchayat for construction of new Gram Panchayat building.

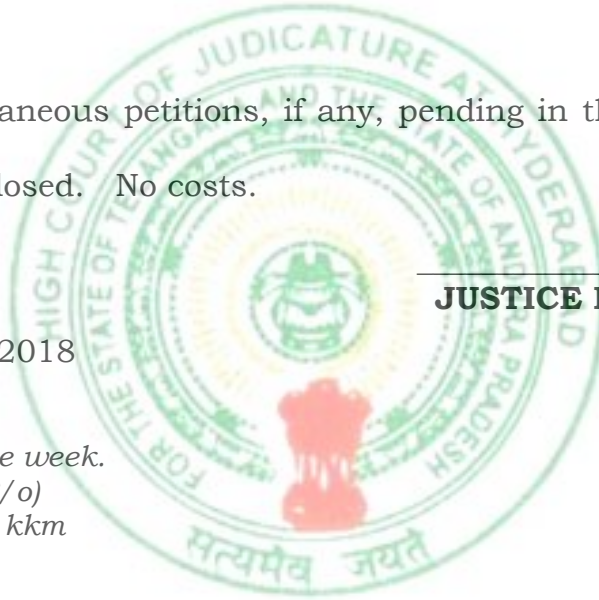
6. In view of the decision made by the Government, cause in the writ petition does not survive. Thus, leaving it open to the petitioner to work out remedies as available in law if aggrieved by the said decision and if so advised, writ petition is dismissed. In view of the dismissal of the writ petition, WVMPs are accordingly closed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

Date: 24.01.2018

Note:
Issue CC in one week.
(B/o)
kkm

JUSTICE P.NAVEEN RAO



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kkm