

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.7075 OF 2017

ORDER:

Heard Smt S.Nanda, learned counsel for the petitioners, learned Government Pleader for Panchayat Raj and Rural Development (A.P.) appearing for respondent Nos.1 and 4, learned Government Pleader for Revenue (A.P.) appearing for respondent No.2, learned Government Pleader for Home (A.P.) appearing for respondent No.3 and Sri G.Seshadri, learned Standing Counsel appearing for respondent No.5.

2. This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the Respondents No.2 & 3 herein in considering Petitioner's representation dated 11-02-2017 and in initiating immediate appropriate steps to ensure proper protection of the statue of Late Hon'ble former Chief Minister of Andhra Pradesh Dr.Y.S.Rajasekhar Reddy, constructed and installed in Lakkarajugarlapadu Village located at KM 5/10 right side of Sathenapally - Nudurupadu Railway Station Road, Sattenapally Rural Mandal, Guntur District, AP from the proposed demolition/ destruction/ breaking, by anti-social elements as illegal, arbitrary, malafide, unconstitutional and to consequently direct the Respondents No.1, 2 and 3 to forthwith issue appropriate directions to all concerned to ensure proper protection of the statue of Late Hon'ble former Chief Minister of Andhra Pradesh Dr.Y.S.Rajasekhar Reddy, constructed and installed in Lakkarajugarlapadu Village located at KM 5/10 right side of Sathenapally - Nudurupadu Railway Station Road, Sattenapally Rural Mandal, Guntur District, AP from the proposed demolition/ destruction/ breaking, by anti-social elements in the interest of justice.”

3. A counter-affidavit deposed by the Superintendent of Police, Guntur Rural – respondent No.3 herein is filed. Paragraph No.6 of the said counter reads as under:-

“It is submitted that it is not known that the statue of late Dr.Y.S.Rajasekhar Reddy, former Chief Minister was erected in S.No.115 of Lakkarajugarlapadu either with the permission of the Government, which is still pending without un-veiling. The petitioners herein have not filed any complaint before police either for loss of public property or if any. But now, on 15.03.2017, one Nagarataaiah Choppa has filed a complaint before the Sattenapalli Police Station, alleging that some unknown persons demolished the bus shelter and thrown the same into the well and apprehended that the statue of Dr.Y.S.Rajasekhar Reddy, former CM may also be demolished. The contentions of the complaint are non-cognizable. Hence the police obtained permission of the Hon’ble I AJCJ Court, Sattenapalli and registered a case in Cr.No.44/17, dt.15.03.2017, u/s.427 IPC, wherein the investigation is in progress. It is submitted that till today there is no damage reported to the statue of late Dr.YSR Rajasekhar Reddy, former CM. The complaint is having only apprehension, stating that the statue may be demolished. After completing the investigation I will file final report.”

It is evident from the above paragraph that certain steps have been taken by the respondents herein in the direction of redressal of the grievance of the petitioners herein. Therefore, this Court deems it appropriate to dispose of the present writ petition, by placing on record the above mentioned averments in the counter filed by respondent No.3 herein.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 03.01.2018
AMD

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