

**THE HON'BLE SRI JUSTICE P. NAVEEN RAO**

**WRIT PETITION No.38691 OF 2018**

Date:28.11.2018

Between:

S. Venkata Reddy, S/o. Late Nagi Reddy,  
Age 72 years, R/o.6-130, Ravi Chettu  
Street, Kutukullur, Anaparthi Mandal,  
East Godavari District and others

.. Petitioners

And

The State of Andhra Pradesh, rep., by its  
Principal Secretary (Panchayat Raj),  
A.P. Secretariat, Velagapudi, Amaravathi,  
Guntur District and others

.. Respondents



**The Court made the following:**

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**ORDER:**

Heard learned counsel for the petitioners, learned Government Pleader for Panchayat Raj appearing for respondent No.1, learned Government Pleader for Revenue appearing for respondents 2 to 5 and Sri K. K. Durga Prasad, learned Standing Counsel for Gram Panchayat appearing for respondent No.6.

2. Petitioners claim to be the absolute owners of land to an extent of Ac.1.09 cents in Survey Nos.187/9, 210, 212/6; Acs.2.41 cents in Survey No.39/2; Ac.0.80 cents in Survey Nos.187/8, 187/9 and 212/6 and Ac.0.55 cents in Survey No.187/10 of Pedaparthi Village, Anaparthi Mandal, East Godavari District. Petitioners allege that respondent – Gram Panchayat is contemplating to construct a compost yard/dumping yard in Revision Survey No.206/1 to an extent of Ac.0.98 cents, which was earmarked as a grave yard and the same is illegal. Challenging the said decision of the Gram Panchayat to construct compost yard/dumping yard, this Writ Petition is filed.

3. Learned Standing Counsel for Gram Panchayat produced the written instructions furnished to him by the Panchayat Secretary vide his letter dated 29.10.2018. The instructions would disclose that the land to an extent of Ac.0.10½ cents in Survey No.212/5 of Pedaparthi Village was identified for the purpose of construction of compost yard/dumping yard and resolution was passed by the Gram Panchayat on 01.09.2018. According to these instructions,

the proposed construction is on the land adjacent to the grave yard and in open public way (Kaalidhaari footpath). These instructions and the resolution passed by the Gram Panchayat would clearly show that the construction is not in the land identified as grave yard.

4. In view of the same, the Writ Petition is dismissed. Pending Miscellaneous Petitions shall stand closed.

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**P. NAVEEN RAO, J**

Date:28.11.2018

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