

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.38692 OF 2018

DATED :29.10.2018

Between :

Sirusolla Venkata Shankara Srinivasa Rao,
S/o.Late Sri Sirusolla Appikonda @ Thatha Naidu,
Lakshmipuram Village, Chodavaram Mandal,
Visakhapatnam District, Andhra Pradesh State.

.. Petitioner

And

The State of Andhra Pradesh,
Department of Panchayathi Raj, Rural & Development,
Rep., by its Principal Secretary,
A.P.Secretariat at Amaravathi,
Guntur District, A.P. & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner, learned Government Pleader for Panchayat Raj for respondents 1 and 2, learned Government Pleader for Revenue for respondent No.3 and Sri K.K.Durga Prasad, learned Standing counsel for respondents 4 and 5.

2. Petitioner claims to be resident of Lakshmipuram Village. This Writ Petition is filed opposing construction of Gram Panchayat building in Racha Veedhi.

3. A reading of the affidavit filed in support of the writ petition would show that petitioner is opposing construction of building in Racha Veedhi on the ground that there are two temples adjacent to the proposed building, water tank and the road is always busy with Tractors and goods vehicle going on this road carrying sugarcane from the fields to Sugar factory.

4. According to learned Standing counsel, there was an existing Gram Panchayat building at the same site and as it was in dilapidated condition a resolution was passed on 08.02.2016 proposing to construct a new building in the same place. Accordingly, the District Collector passed orders on 25.03.2016 sanctioning the amount for construction of new building at the same site where the old building was standing.

5. With reference to objection of learned counsel for the petitioner that there was a running drinking water pipeline and

the same would be affected, learned Standing counsel states that information was sought from the Deputy Executive Engineer, Rural Water Supply & Sanitation, Chodavaram Sub-Division, Visakhapatnam on the status of drinking water pipeline. The Deputy Executive Engineer visited the site and certified that there is no drinking water pipeline passing through the subject site. A copy of the certificate dated 26.10.2018 issued by the Deputy Executive Engineer is placed before this Court.

6. Having regard to the fact that the proposed building is being constructed in the place where old building of Gram Panchayat was standing and that it was a decision taken by the Gram Panchayat and appropriate orders were passed by the Government, merely because it is not to the liking of a villager or few of the villagers, this Court cannot interfere and direct the Gram Panchayat not to construct the building in the proposed site and to construct elsewhere. No malafides are attributed against the members of Gram Panchayat or Panchayat Secretary for constructing the building at the same site where, the old building of the Gram Panchayat was standing. No case is made out for interference by this Court.

7. Accordingly, the Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

29th October, 2018
Rds

P.NAVEEN RAO,J