

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.45008 OF 2018

DATED :12.12.2018

Between :

Krovvidi Krishna Sai, S/o.late Siva Subbarayudu,
Aged about 53 yrs, Occu : Agriculture,
R/o.H.No.2-10, Karanamgari Street,
Saripalle, Ganapavaram (M),
West Godavari District.

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Petitioner

And

State of Andhra Pradesh,
Rep., by Principal Secretary,
Panchayat Raj and Rural Development Department,
Secretariat Buildings, Velagapudi,
Guntur District & others.

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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, and Sri K.K.Durga Prasad, learned Standing counsel for respondents 3 and 4.

2. Petitioner claims to be resident of Saripalle Village, Ganapavaram Mandal, West Godavari District. According to petitioner in the year 1986, one late Boddu Subbarao, has gifted immovable property admeasuring Ac.0-30 cents in R.S.No.39/1, to the Gram Panchayat Saripalle Village for utilizing the subject land for public purpose and the same was accepted by the Gram Panchayat vide registered document No.234/1986. Petitioner contends that the very same land is now sought to be assigned to some private persons at the instance of local Member of Legislative Assembly (MLA), and the land vested in the Gram Panchayat cannot be alienated to private persons for some private purpose, and such action is illegal. Alleging that there is an attempt being made to allot the land referred to above, a representation was made by the villagers on 22.11.2018 and by the petitioner as well as villagers on 29.11.2018. Alleging inaction, this writ petition is filed.

3. According to the averments in the affidavit filed in support of the writ petition, as of now, no such allotment is made by the Gram Panchayat. Petitioner only apprehends the possibility of allotment of Gram Panchayat land to private persons. Ordinarily, the public property cannot be allotted to private

persons for any private purpose, unless such allotment is covered by any scheme of Government such as Houses for Weaker Sections etc, or/and the said land can be utilized for only public purpose to benefit the local residents of the village. Further the complaint against alleged proposal to allot land was only made on 22.11.2018 and 29.11.2018. Thus, the cause in the writ petition is pre-mature for this Court to entertain the writ petition at this stage.

4. Accordingly, the Writ Petition is dismissed. However, it is needless to observe that if the Gram Panchayat allots the land ignoring the complaint filed by the petitioner as well as villagers, it is open to the petitioner to work out his remedies as available in law. Pending miscellaneous petitions shall stand closed.

12th December, 2018
Rds

P.NAVEEN RAO,J

