

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6343 of 2019

ORDER:

1 The prayer of the petitioners in this case reads as under:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction; more particularly, one in the nature of Writ of Mandamus declaring the action of the respondents in not declaring the Jinigal Thanda Sirikonda Mandal Nizamabad District as Grapanchayat as arbitrary illegal against the object of Panchayat Raj Act being in breach of articles 40 14 21 of the Constitution of India and direct the respondents to declare Jinigal Thanda Sirikonda Mandal Nizamabad District as Grapanchayat as a Village for purposes of Telangana Panchayat Raj Act so as to enable the petitioners and other villagers of Jinigal Thanda to participate in Local self Governance in the interest of justice and pass such other order or orders as this Hon'ble Court deem fit and proper in the circumstances of the case.”

2 Perusal of the representation dated 22.10.2018 made by the petitioners reflects that they sought constitution of a separate gram panchayat taking into account the population of their settlement. Section 3 (2) (a) of the Telangana Panchayat Raj Act, 2018 vests the Government with the power to form a new village by separation of a local area from any village. Therefore, it would be within the power of the State of Telangana to act upon the petitioners' representation dated 22.10.2018.

3 Perusal of the said representation reflects that it was received by the authorities concerned long ago. Having received such an application, it is not open to the State to remain unmoved indefinitely.

4 The Writ Petition is accordingly disposed of directing the State of Telangana to take appropriate action on the petitioners' representation dated 22.02.2018, as warranted, in accordance with the due procedure expeditiously.

5 Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

Date: 27.03.2019

Kvsn

