

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28842 OF 2019

DATED : 30.12.2019

Between :

T. Chinna Ramulu S/o.Veeraswamy,
Aged about 48 yrs, R/o.Kummarikuntla Village,
Dantalapally Mandal,
Mahabubabad District & others.

..... Petitioners

And

State of Telangana,
rep. by its Principal Secretary (Revenue),
Secretariat, Hyderabad & others.

.....Respondents



The Court made the following:

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ORDER :

Heard learned counsel for the petitioners, learned Government Pleader for Revenue for respondents 1 to 4 and learned Government Pleader for Home for respondent No.5.

2. Petitioners claim to be the residents of Kummarikuntla Village. It is alleged that the Sarpanch of Reponi Village is undertaking construction of burial ground in the Cheruvu Shikam, falling in Sy.No.77 of Kummarikuntla Village. The said construction is opposed on the ground that the land belongs to Kummarikuntla village and no burial ground for the adjacent village can be constructed in Kummarikuntla Village. Such construction would have sentimental value and would have bad omen to the entire village. It appears, petitioners have made representation to the District Collector, Mahabubabad.

3. A reading of the representation would show that a person by name Veeraboina Mallaiah donated Ac.0-30 guntas of land standing in the name of his father for the purpose of construction of burial ground. Petitioners dispute the ownership claim of the said person and location of the land. Petitioners also claim that they have applied for conducting of survey, but, so far, survey is not conducted.

4. However, a reading of the representation dated 04.11.2019 and the averments in the affidavit filed in support of writ petition would disclose that petitioners are not claiming the land as

belonging to them. Their only grievance is that the land belonging to their village is now sought to be utilized for construction of burial ground of the neighbouring village and the same is not permissible.

5. In other words, what is agitated in the writ petition and in the representation is in the form of Public Interest Litigation in trying to espouse the cause of the entire village. It is strange to notice that the Gram Panchayat is not taking any action, if what is alleged by the petitioners is true.

6. On the contrary, allegation is also made against the Gram Panchayat in permitting construction of burial ground. Therefore, as the issue does not directly concern the petitioners and what is contended is the concern for the villagers at large, the Court is not inclined to entertain the writ petition in the present form.

7. Accordingly, the Writ Petition is dismissed. However, liberty is granted to petitioners to espouse the cause of the village in the form of Public Interest Litigation, if so advised. However, dismissal of this writ petition does not come in the way of Joint Collector or Revenue Divisional Officer, looking into the grievance of the villagers, if any espoused before them. Pending miscellaneous petitions, if any, shall stand closed.

30th December, 2019
Rds

P.NAVEEN RAO,J