

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.4533 of 2020

ORDER:

This writ petition is filed seeking the following relief :-

“....to issue an order or orders or direction or writ more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondent Nos.2 and 3 in not disposing of the representations dated 26.12.2019 and 08.01.2020 for construction of nala at our own cost with the supervision of respondents 2 and 3 as illegal, arbitrary, malafide, intentional and consequently direct respondent Nos.2 and 3 to take action on the representations....”.

Heard Sri K.V.Bhanu Prasad, learned counsel appearing for the petitioner and the learned Government Pleader for Irrigation.

It has been contended by the petitioner that it is a registered Association and it has purchased the land and got approved the layout by the competent authority. The grievance of the petitioner is that a nala is flowing in its layout and it has constructed a nala. Thereafter, it has submitted representations dated 26.12.2019 and 08.01.2020 to the respondents to construct pucca nala, so as to solve the perennial problem and also protect its plots from an inundation. But, so far, the respondents have not considered the said representations nor taken any steps to preserve nala.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representations submitted by the petitioner and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents submits that the respondents would consider the case of the petitioner in accordance with law, if the petitioner submits a fresh representation.

This Court, having considered the rival submissions, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation seeking protection of nala and also its plots from an inundation within two weeks from the date of receipt of a copy of this order. Thereupon, the respondents shall consider the same and pass appropriate orders in accordance with law within eight weeks thereafter.

With the above observations, the writ petition is disposed of.
No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

Date: 02-03-2020
Prv

ABHINAND KUMAR SHAVIL, J



