

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION Nos.3711 and 3841 of 2021

COMMON ORDER:

Since the issue raised in these two writ petitions is one and the same, both the writ petitions are being disposed of by this common order.

Heard Sri B.Raveendra Babu and Sri D.A.Prem Chand, learned counsel appearing for the petitioners, learned Government Pleader for Panchayat Raj and Rural Development and Sri G.Narender Reddy, learned Standing Counsel appearing for the Grampanchayat.

For the sake of convenience, the facts in W.P.No.3841 of 2021 are discussed hereunder

W.P.No.3841 of 2021 is filed seeking the following relief :-

“..... to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus to declare that the proceedings No. LC/2982/2017, dated 01.06.2018 of Respondent No.2 i.e., District Collector, Medchal - Malkajgiri District proposing to utilize the land in Sy.No.747 of Ravalkole village for developing dumping yard and Vaikuntadamam as illegal, arbitrary, without authority, against the provisions of the Land Acquisition Act/ Assignment Laws and in violation of the principles of Natural Justice and consequently direct Respondent Nos.1 to 7 not to disturb the approved DTCP layout and not to proceed with the creation of dumping yard and vaikuntadamam in the land in Sy.No.747 of Ravalkole village, consequently direct the Gram Panchayat to accept the Gift Deed, which is in the interest of Saidonigadda Thanda and also in the interest of Golden Phase-II plot purchasers.....”.

It has been contended by the petitioner that the respondents are taking steps to construct crematorium in Sy.No.747 of Ravalkole Village and the same is contrary to the proceedings issued by the District Collector on 01.06.2018. The Mandal Parishad Development

Officer has also issued proceedings dated 04.08.2020 requesting the Additional Collector (Revenue) to allot suitable land for construction of crematorium, but without taking into consideration the Mandal Parishad Development Officer's proceedings as well as the proceedings of the District Collector, the respondents are going ahead with the construction of crematorium. In those set of circumstances, the petitioner has submitted a detailed representation to the respondents on 21.12.2020. But, so far, the respondents have not passed any order on the said representation.

Learned counsel appearing for the petitioners had contended that appropriate orders be passed in the writ petitions directing the respondents to consider the representations submitted by the petitioners on 04.08.2020 and 21.12.2020 and pass appropriate orders in accordance with law. Till such time, the respondents shall not proceed with the construction of crematorium.

Learned Government Pleader as well as learned Standing Counsel appearing for the respondents had contended that since the representations are pending with the respondents, the District Collector would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions made by the parties, is of the considered view that these writ petitions can be disposed of directing the District Collector to consider the representations submitted by the petitioners on 04.08.2020 and 21.12.2020 and pass appropriate orders in accordance with law,

within a reasonable period, preferably within a period of four weeks from the date of receipt of a copy of this order.

Till the District Collector passes orders on the representations submitted by the petitioners, *status-quo* obtaining as on today shall be maintained by both the parties.

With the above directions, the writ petitions are disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

19.02.2021
Prv

ABHINAND KUMAR SHAVIL, J

