



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3332]

**TUESDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 19203/2023

Between:

Chinnam Penchala Prasad

...PETITIONER

AND

The State Of Ap and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.NIMMAGADDA REVATHI

Counsel for the Respondent(S):

1.VENKATA REDDY GAJJALA SC FOR ZPP, MPP, AND GRAM
PANCHAYAT

2.GP FOR PANCHAYAT RAJ RURAL DEV

The Court made the following order:

Non-consideration of his representation dated 09.05.2023 submitted for construction of drainage outlet preventing drain water flow into his house site admeasuring Ac.0.24 cents covered by Sy.No.211/2 situated in Pullanillapalli Revenue Village, Chejerla Mandal, SPSR Nellore District, is the grievance of the petitioner in the present writ petition.

2. Heard Miss P.Haritha, learned counsel representing learned counsel for the petitioner and Sri M.Sudhir, learned Standing counsel for Gram Panchayat.

3. Sri M.Sudhir, learned Standing counsel for Gram Panchayat on instructions of Panchayat Secretary, Pelleru Gram Panchayat, Chejerla Mandal, SPSR Nellore District submitted that the Gram Panchayat has considered the petitioner's representation dated 09.05.2023 and conducted a survey and field work and has not found any drain water flow into the petitioner's house property in Sy.No.211/2 as alleged by the petitioner. As such prayed to pass appropriate orders in that regard.

4. Section 45(iii) of the A.P.Panchayat Raj Act, 1994 envisages that it is the duty of the Gram Panchayat to construct drains and maintain them and to make necessary arrangements for the disposal of drainage water and sullage. However, it is well settled principle that the respondent authorities has to pass a reasoned order on the representation, if any made, either by accepting or rejecting it by stating reasons and communicate the same to the parties who made the representation. In the present case, instead of passing orders on the representation made by the petitioner on 09.05.2023 the respondent authorities have sent instructions stating that there is no drain water flow into the petitioner's house property in Sy.No.211/2 as alleged by the petitioner.

5. In view of the same, this Court is inclined to dispose of the writ petition with the following direction:

The Gram Panchayat concerned is directed to pass orders on the representation made by the petitioner on 09.05.2023 in accordance with law as expeditiously as possible not later than four(04) weeks from the date of receipt of copy of this order.

Accordingly, the writ petition is ***disposed of***. No costs.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

BRS