

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11094 OF 2015

ORDER:

This writ petition is filed seeking *Writ of Mandamus* declaring the action of the respondents 2 and 3 in not initiating action against the illegal and unauthorized constructions being made by the 4th respondent by encroaching the public road, situated towards the western side of the petitioner's property bearing Door Nos.13/200 and 13/201 in Tyagaraja Veedhi, Proddatur Town, YSR Kadapa District, as illegal, arbitrary and contrary to the provisions of the A.P.Municipalities Act and for a consequential direction to the respondents 2 and 3 to take necessary action against the illegal construction made by the 4th respondent.

The case of the petitioner is that her husband gifted the property along with RCC building bearing Door Nos.13/200 and 13/201 situated at Tyagaraja Veedhi, Proddatur Town, YSR Kadapa District through registered document dated 18.09.2010 and she has been in possession and enjoyment of the said property. While so, the 4th respondent started constructions by encroaching more than 5 feet of the public road situated towards the western side of the petitioner's property. Against the same, petitioner made a representation dated 14.04.2015 to the 3rd respondent. As no action has been taken, the present writ petition is filed.

Heard the learned counsel for the petitioner.

Sri Md.Saleem, learned Standing counsel for the respondent-Municipality submits that no such representation is made by the petitioner and more so, even if it is considered that representation is made on 14.04.2015, the petitioner filed the present writ petition on 15.04.2015 by filing false affidavit which is abuse process of the Court.

In view of the aforesaid submission, I do not see any merit to entertain the writ petition. Hence, the writ petition is dismissed. However, it is open for the

petitioner to file a proper representation before the authorities for taking action.

There shall be no order as to costs. As a sequel, miscellaneous petitions, pending, if any shall stand closed.

A.RAJASHEKER REDDY, J

17.04.2015

dv

