

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.41625 of 2015

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22.12.2015

Between:

K.A.Sobhana and another

.. Petitioners

and

The Greater Visakhapatnam Municipal Corporation,
represented by its Commissioner and another

.. Respondents

Counsel for the petitioners: Mr.V.R.Avula

Counsel for the respondents: --

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the action of the respondents in dumping material for laying a road over a part of the petitioners' land admeasuring 655 sq.yds. in survey No.10/6C3 (part) of Vasuvanipalem area, China Waltair Village, Visakhapatnam, as illegal and arbitrary. The petitioners sought for a consequential direction to the respondents to remove the material dumped for laying a road from their land.

At the hearing, Mr.S.Lakshminarayana Reddy, learned standing counsel for the Greater Visakhapatnam Municipal Corporation (GVMC) appearing for the respondents, on instructions, submitted that the petitioners' land is situated adjacent to the land belonging to the Visakhapatnam Urban Development Authority (VUDA), that in order to provide access to the Fishermen Community of Vasuvanipalem, the respondents have initiated the process for laying a road, that when the petitioners have made a representation objecting to the laying of the road by claiming that the same is proposed to be laid over their land, the respondents have stopped laying of the road with a view to get the land of the petitioners and that of VUDA, surveyed and demarcated, that till the survey is conducted in the presence of the petitioners or their representatives and the land is demarcated, road will not be laid and that the

road will be laid only on the land of VUDA, after such demarcation.

In view of the above submissions of the learned standing counsel, which are placed on record, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.53725 of 2015 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

22nd December, 2015

GHN