

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.30970 of 2011

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ORDER :

This petition is filed for a writ of *Mandamus* declaring the action of the respondents 1 to 3 in not taking any action on the petitioner's complaint dated 10.08.2011 against the 5th respondent facilitating him to proceed with unauthorized constructions with encroachments in the petitioner's property, as illegal and arbitrary and for a consequential direction to the respondents to initiate action against the 5th respondent.

The respondents 1 to 3 filed counter stating that on receipt of the petitioner's complaint, the respondents have visited the site and taken measurements of the petitioner's property and noticed that the respondent No.5 has constructed the compound wall by encroaching three inches of the petitioner's property and the allegation made against the respondents 1 to 3 for not taking action is false. It is also stated that the respondents have already informed the 5th respondent to restore the 3 inches to the petitioner's property, and the respondent No.5 is proceeding with construction with valid permission from GHMC. As mentioned above the GHMC has taken measurements of the petitioner's property and informed the same to respondent No.5.

Heard learned counsel for the petitioner and Sri P.Kesava Rao, learned counsel for respondents 1 to 3.

In view of the statement made in the counter affidavit by the learned counsel for respondents 1 to 3, the grievance of the petitioner against the respondents 1 to 3, stands redressed and as such, the cause in the writ petition does not survive.

Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the Contempt Case, shall stand closed.

A.RAJASHEKER REDDY, J

11.06.2015

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