

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.20148 of 2015

DATED : 27.08.2015

Between :

Smt. Baditha Ravanamma W/o.Appa Rao,
Hindu, Aged about 65 yrs, R/o.Opp.Electrical Office,
Goods Shed Road, Parvatipuram,
Vizianagaram District.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by Principal Secretary,
Municipality Department,
Secretariat, Hyderabad & others.

.. Respondents

This court made the following :

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ORDER :

Heard learned counsel for petitioner, Sri N.Venkateswarlu, learned Standing counsel for the Respondent No. 2, learned Government pleader for Respondents 3 and 4, and learned Government pleader for R.5 and with their consent, the writ petition is taken up for disposal at the admission stage.

2. This writ petition is filed questioning the action of the respondents 1 to 5 in not taking action on the representation of the petitioner dated 07.06.2015, regarding illegal encroachments made by the respondents 6 to 16 on the Goods Shed Road, which is a public road passing from Parvatipuram-Rayagada Main road to Belagam Railway Station, as illegal.

3. The petitioner alleges that the husband of the petitioner along with others jointly purchased land to an extent of Ac.0-26 cents, in Sy.No.439/4, Parvatipuram Village, Srikakulam District, under registered sale deed dated 16.04.1969 and since then they are in possession and enjoyment of the same. Thereafter the said property was divided into three shares and Schedule 'B' of the partition deed fell to the share of the petitioner. The petitioner and her children have constructed six tiled houses in the said property. The petitioner alleges that there is a public road from Parvatipuram-Rayagada main road to Belagam Railway Station, which is also called as Goods Shed Road, which is on the northern side of the property of the petitioner and it is the only access to the said road for the petitioner. The petitioner further alleges that the respondents 6 to 16 have encroached the road margin and constructed houses by leaving only a small lane for her access to the road, due to which the petitioner is facing lot of inconvenience. Respondents 6 to 16 are also causing unhygienic condition and it has become difficult for the petitioner to pass through the lane and causing health problems. The petitioner further alleges that the respondents 6 to 16 were

allotted house sites in Y.K.M. Colony under the weaker section quota, but without occupying the said houses, they have alienated the same and are residing in the houses constructed by them by encroaching the road margin. Several requests were made to the respondents 2 to 5 orally. As there was no action taken by the respondent authorities, she submitted a representation on 07.06.2015 to the respondents 2 to 5 to remove the illegal encroachments. Since, no orders are passed, this writ petition is filed.

4. When the matter is taken up, both counsel agreed for disposal of the writ petition with a direction to the respondents 2 to 5 to expeditiously dispose of the representation dated 07.06.2015, submitted by the petitioner.

5. Having regard to the same, without expressing any opinion on the merits of the matter, writ petition is disposed of directing the respondents 2 to 5 to consider the representation of the petitioner dated 07.06.2015, and pass appropriate orders as warranted under law within a period of six weeks from the date of receipt of copy of this order and communicate the decision to the petitioner. The respondents 2 to 5 shall cause notice on the respondents 6 to 16 and afford due opportunity to them before passing orders on the representation of the petitioner. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

27th August, 2015.
Rds

P.NAVEEN RAO,J