

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Writ Petition No.8638 of 2012

ORDER:

This writ petition is filed seeking the following relief/s:

‘....to issue a Writ or writs more appropriately a Writ of Mandamus declaring the inaction of the respondent Nos.2 to 4 preventing the illegal construction carrying on by the 5th respondent at Door No.14-079 and 14-80, situated at Kotgir Village and mandal, Nizamabad District, A.P is illegal, void and ultra vires in the interest of justice and pass such other order or orders.’

I have heard the submissions of the learned counsel for the petitioner, the learned Standing Counsel appearing for the 4th respondent and the learned counsel for the 5th respondent. I have perused the material record.

The 4th respondent had filed a counter stating that the 5th respondent is making constructions strictly in accordance with permission granted by the Gram Panchayat and that, therefore, the question of stopping such constructions being made by the 5th respondent does not arise and that it is open to the petitioner to approach a competent authority and seek appropriate relief, if he is so advised.

Though the writ petitioner is complaining that the constructions being made by the 5th respondent are illegal, it is an admitted fact that the 5th respondent is making constructions after obtaining the permission and approval of the plan from the local authority.

At the time of hearing, the learned counsel for the petitioner would submit that the writ petition may be disposed of giving liberty to the petitioner to approach a competent civil Court or other appropriate forum and seek appropriate relief, which the law permits.

Accordingly, the Writ Petition is disposed of. The writ petitioner is at

liberty to approach a competent civil Court or other appropriate forum, if he so desires and if so advised and seek the relief, which the law permits. No costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

M. SEETHARAMA MURTI, J

14.12.2015

Vjl