

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

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Writ Petition No.24432 of 2012

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ORDER:

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

'..to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the acts of the 1st respondent in issuing Proceedings ROC.No.4008/99/A1 dated 01.10.2011 in setting aside the earlier orders dated 30.8.2011 issued by the same 1st respondent as well as not taking any steps to evict the 3rd respondent who is unauthorisedly occupier of the shop No.115A Pattabhi Market, Machilipatnam, Krishna District as illegal, arbitrary, and violation of the provisions of the A.P. Municipalities Act and violation of Article 14, 16 and 21 of the Constitution of India and set aside the same and pass such other order...

[Reproduced verbatim]

As there was no representation for the writ petitioner on 23.11.2015 the matter was directed to be listed today under the caption 'For Dismissal'. Despite listing the matter under the caption 'For Dismissal', there is no representation for the petitioner. It indicates that the petitioners are not interested in prosecuting the writ petition.

However, the learned counsel for the party respondents 2 and 3 would submit, by producing a copy of the proceedings in Roc.No.1829/2013/A1 dated 12.08.2013 of the Commissioner, Machilipatnam Municipality, that the occupants of the shops were evicted and that the shops were taken possession by the municipal authorities and that the leasehold rights of the shops were put to auction and that in the auction held on 29.07.2013, the shops, which are subject matter of the writ petition, were allotted to the party respondent no.3 and that, therefore, the writ petition has become infructuous as no cause survives for adjudication.

Recording the said submission, the writ petition is dismissed as infructuous. No costs.

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

M. SEETHARAMA MURTI, J

30.11.2015

Vjl