

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.7640 OF 2015

ORDER:

This writ petition is filed seeking *Writ of Mandamus* declaring the action of the 2nd respondent in not considering the representation of the petitioners dated 16.08.2014 and 26.08.2014, as illegal and arbitrary and for a consequential direction to the 2nd respondent to consider the representations of the petitioners.

The case of the petitioners is that they are in possession and enjoyment of small extents of lands besides the road margin of Atmakur Village and Mandal by constructing terraced shops and doing petty business since 25 years and have been paying the necessary taxes to the Municipality. While so, one K.Manneswara Babu filed W.P.No.34403 of 2013 before this Court against the respondents not to allow the 3rd parties to encroach the land belonging to the 3rd respondent and this Court by order dated 29.11.2013 directed the respondents to inspect and take appropriate steps to protect the properties of 3rd respondent herein. Basing on the order of this Court, the respondents demolished the shops constructed on the road margin. Questioning the highhanded acts of the respondents, the petitioners approached this Court by filing W.P.No.19126 of 2014 and the same was withdrawn with liberty to approach the competent authority. Thereafter, petitioner made representations dated 16.08.2014 and 26.08.2014 to the 2nd respondent, but the same were not disposed of so far. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioners and the learned Standing counsel for the respondents.

In the instant case, petitioners shops were removed by virtue of the order passed by this Court in W.P.No.34403 of 2013, dated 29.11.2013 and petitioners have challenged the same by filing W.P.No.19123 of 2014. However, the said writ petition has been withdrawn with a liberty to approach the

competent authority. Thereafter, the petitioners made representations to the 2nd respondent for establishment of the shops on the road margin and filed the present writ petition seeking a direction to the respondents to consider their representations. In my opinion, consideration of the same would amount to review of the orders passed in W.P.No.34403 of 2013, which is not permissible under law. As such, I do not see any merit to entertain the writ petition.

Accordingly, the writ petition is dismissed. No costs. As a sequel, miscellaneous petitions, pending, if any shall stand closed.

A.RAJASHEKER REDDY, J

24.03.2015

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