

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION NO.27093 OF 2009

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“... to declare the action of the respondents in not considering the objections filed by the petitioners, dated 03-12-2009 to stop the illegal and unauthorized encroachments at Market Centre, Main Road, Ramachandrapuram, East Godavari District as illegal and arbitrary and consequently direct the respondents to take appropriate action on the complaints submitted by the petitioners to stop the unauthorized encroachments..”

2. Heard Mr.T.V.S.Prabhakara Rao, learned counsel appearing for the petitioners and learned Government Pleader for Roads & Buildings appearing for the respondents.

3. According to the petitioners, they are residents of Ramachandrapuram town, East Godavari District and their houses are situated nearer the Market Centre, Main Road, Ramachandrapuram and the said centre has four roads corner, one is leading to Muchimilli centre and opposite road leads to market and Kishore Theatre and these two roads are connecting to State Highway No.214 leading to Kakinada. It is also stated in the writ affidavit that in the year 2005, the main road was extended by the R & B Department and during its extension, all the encroachments were removed. Complaining of encroachments on the road margin, the petitioners got issued legal notice, dated 03-12-2009 to the respondents for taking appropriate action. The grievance of the petitioners in the present writ petition is that despite receipt of the same, the respondents did not take any action. In the above background, the present writ petition came to be filed in the year 2009.

4. This Court while issuing *Rule nisi* granted interim direction directing the respondents to consider the objections of the petitioners, dated 03-12-2009 to stop the illegal encroachments. Despite service of notice, no counter affidavit is filed.

5. In view of the facts and circumstances of the case and nature of controversy, this Court deems it appropriate to make the interim direction absolute and dispose of the writ petition.

6. Accordingly, the writ petition is disposed of, making the interim direction granted by this Court on 21-12-2009 in WPMP No.35280 of 2009 as final order in the writ petition. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

A.V.SESHA SAI, J

DATED: 29-12-2015

Hsd