

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.26248 of 2015

DATED :19.08.2015

Between :

Dangeti Surya Narayana Murthy,
S/o.Late Surya Narayana Murthy,
Aged about 26 yrs, Occu : Business,
R/o.14-204, Gollaprolu, Gollaprolu Mandal,
East Godavari District.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Municipal Administration and Urban Development Department,
A.P. Secretariat, Hyderabad & Others.

.. Respondents

This court made the following :

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ORDER :

Heard learned counsel for petitioner and learned Government Pleader for R.3 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 3 in not taking action on the representation of the petitioner dated 06.07.2015 regarding illegal constructions made by the 4th & 5th respondents and in not demolishing the illegal structures made on the road margins.

3. The petitioner alleges that the properties bearing D.Nos.14-95/1, 14-27, 14-226, 14-112 situated at Gollaprolu village, belongs to respondents 4 and 5. The respondents 4 and 5 have raised constructions in violation of the Gram Panchayat rules, by encroaching the road margin, without leaving any set backs and they have let out the premises to commercial establishments such as Banks, ATM's. He further alleges that when the premises is let out for commercial purpose the owner of the property has to provide the parking place. The respondents 4 and 5 have not left the space for parking due to which the customers visiting the bank are parking their vehicles on the road, causing lot of inconvenience to the local residents and resulting in traffic congestion. The petitioner along with others approached respondents 2 and 3 to restrain the illegal constructions raised by respondents 4 and 5, but no action was initiated resulting completion of construction at brisk pace. The petitioner submitted a representation on 06.07.2015 to the 2nd respondent complaining illegal constructions and encroachment of road margin. The petitioner has also obtained information under Right to Information Act vide endorsement dated 28.12.2011, that the respondents 4 and 5 have constructed the buildings in violation of the approved plan. Aggrieved by the inaction on the part of the respondent authorities, 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 1 to 3 to expeditiously

dispose of the representation dated 06.07.2015 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 1 to 3 to consider the representation of the petitioner dated 06.07.2015, and pass appropriate orders as warranted under law within a period of four weeks from the date of receipt of copy of this order and communicate the decision to the petitioner. The respondent authorities are directed to put the 4th and 5th respondents on notice, before passing the orders on the representation of the petitioner. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

19th August, 2015.
Rds

P.NAVEEN RAO,J