

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.30342 of 2010

ORDER:

The writ petition is filed seeking a writ of mandamus by declaring the inaction of the respondents in not taking urgent action in fixing road centre from Akkannapet x road towards Jangaon Road, at Husnabad, Karimnagar District, basing on original road and also upon more than 40 years old existing culvert and to demolish illegal encroachments of fifth respondent, is totally illegal and arbitrary and also sought consequential reliefs.

The petitioner has preferred this writ petition merely on apprehension that the respondents may draw a line in the road, whereby it will affect the interest of the petitioner and that the respondents also intend to draw a line showing that the petitioner's property is an encroachment on the existing road.

This Court is of the view that merely on the basis of apprehension, the petitioner cannot approach this Court. But, in any event, taking into consideration the reasonable apprehension of the petitioner, the respondents are directed to draw a line in the middle of the road as per the drawings available with the authorities and also basing on the documents, which are produced by the petitioner as well as the fifth respondent. If the petitioner is aggrieved by the said drawings and if it is against the Rules and the material available on record, he is at liberty to approach appropriate forum for appropriate remedy.

The writ petition is accordingly disposed of. Consequently, the miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

08.04.2015

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