

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29521 OF 2012

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ORDER:

The case of the petitioner is that when the 3rd respondent was making structures by occupying the public road admeasuring about 20 feet length and 5 feet width known as Thumula Centre road, causing obstruction for public passage under the guise of layout plan issued by the 2nd respondent dated 19.07.2012, the petitioner made a representation to the authorities for taking action against the 3rd respondent. On such representation the 1st respondent issued proceedings dated 18.08.2012, directing the 2nd respondent to take action. In pursuance to the same, the 2nd respondent issued notice dated 28.08.2012 to the 3rd respondent directing to stop all the constructions under sanctioned plan. But, later no action is being taken against the 3rd respondent. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner

Sri V.Venugopal Rao as well as Smt.K.Mani Deepika, learned Standing Counsel for the 1st respondent who submits that when notice was issued by the 2nd respondent, the 3rd respondent filed WP.No.26750 of 2012 and this court directed the 2nd respondent to consider the explanation dated 22.08.2012 submitted by the 3rd respondent herein to the notice dated 21.08.2012, in accordance with law after giving a reasonable opportunity of hearing to the 3rd respondent.

In this case, since already notice was issued to the 3rd respondent on 21.08.2012 and the 3rd respondent also filed explanation on 22.08.2012 and approached this Court by filing WP.No.26750/2012 and this Court already gave a direction to the 2nd respondent to consider the explanation of the 3rd respondent and pass orders in accordance with law after giving reasonable opportunity to the 3rd respondent, this writ petition is also disposed of directing the 2nd respondent to take further action in pursuance to the notice dated 28.08.2012 after giving opportunity to the 3rd respondent for filing explanation by issuing fresh notice to the 3rd respondent in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending shall stand closed.

A.RAJASHEKER REDDY, J

20.08.2015
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