

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH

WRIT PETITION No.11398 of 2012

Between:

Sripathi Srinivas

... Petitioner

and

The Commissioner,
Metpally Municipality,
Metpally, Karimnagar District – 505 325.
and others

... Respondents

DATE OF JUDGMENT PRONOUNCED: 27-07-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

- | | |
|--|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
Marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Lordship wish to see the
fair copy of the Judgments? | Yes/No |

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11398 of 2012

O R D E R:

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

"To issue a Writ, Order or Direction more particularly
one in the nature of Writ of Mandamus, declaring the

inaction of the respondent No.1 in taking action against the respondent Nos.2 and 3 in spite of receiving complaints dated 27-02-2012 given in "Revenue Meeting" and consequently direct the respondent No.1 to protect the road from encroachments by taking immediate necessary stringent action against the respondent Nos.2 and 3 for construction of the wall on the middle of the road."

Counter is filed by the 1st respondent stating that they issued show cause notice to the 3rd respondent on 13.02.2012 calling for his explanation for the illegal construction, and thereafter, they passed Confirmation Order dated 16.02.2012 directing the 3rd respondent to dismantle the illegal construction within three days, and the 3rd respondent filed W.P.No.5380 of 2012 and obtained interim suspension of the said Confirmation Order.

Since this Court setting aside the Confirmation Order dated 16.02.2012 in Writ Petition No.5380 of 2012, the 1st respondent-Municipality is directed to take appropriate action in accordance with law after considering the explanation dated 16.02.2012 submitted by the 3rd respondent in response to the show cause notice dated 13.02.2012. It is needless to observe that if any applications are pending with the 1st respondent-Municipality in this matter, it shall consider the same in accordance with law.

Accordingly, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

27.07.2015

siva