

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.23735 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus declaring the inaction of the respondents in taking steps for removal of encroachments on the road in survey No.351 of Piddamgoyye Village and Gram Panchayat, Rajahmundry Rural Mandal, East Godavari District is illegal, arbitrary, unjust and consequently direct the respondents to take immediate steps for removal of the obstructions on the road in front of the petitioner's land.

2. Heard Sri Karra Srinivas, learned counsel for the petitioner and Sri Ravi Cheemalapati, learned Standing Counsel for fourth respondent Gram Panchayat.

3. A perusal of the record reveals that the petitioner is owning an extent of Acs.0.25 cents of land in survey No.351 of Piddamgoyye Village and Gram Panchayat, Rajahmundry Rural Mandal, East Godavari District by virtue of registered sale deed dated 26.3.1993. The petitioner constructed godowns in the said land. There is a road on the eastern side of the petitioner's godowns. It is the case of the petitioner that some third parties occupied the road margin and erected huts. The main grievance of the petitioner is that the encroachers of road margin are causing much inconvenience to the day-to-day business affairs of the petitioner. A perusal of the record reveals that the petitioner made a representation on 16.8.2014 to respondent Nos.2 to 4 with a request to remove the huts. The petitioner also submitted another representation to the second respondent–District Collector, on 22.3.2015 to take appropriate steps for removal of the huts. The learned counsel for the petitioner submitted that the concerned authority may be directed to dispose of the representations of the petitioner dated 16.8.2014 and 23.2.2015.

4. Having regard to the facts and circumstances of the case, the fourth respondent is hereby directed to consider the representations of the petitioner dated 16.8.2014 and 23.2.2015 and pass appropriate orders in accordance with law within a period of two months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. Miscellaneous petitions if any pending in this writ petition shall stand closed.

(T.SUNIL CHOWDARY, J)

July 21, 2016.
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