

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

-
WRIT PETITION No.22203 OF 2016
-

ORDER:

Heard the learned counsel appearing for both parties. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondents Nos.2 to 4 in not taking any action against the Respondent Nos.5 and 6 for their illegal acts of trespassing into the land of the petitioner and making illegal constructions without any valid permit as illegal, arbitrary, and violative of provisions of Constitution of India and all canons of fair play and natural justice and consequently, issue directions to respondent Nos.2 to 4 to take stringent action against Respondent Nos.5 and 6, in compliance of the representations/complaints made by the Petitioner before them under relevant provisions and restrain respondent Nos.5 and 6 from their illegal acts.”

3. Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a direction to respondents 2 to 4 to take action against respondents 5 and 6 pursuant to the representations made by the petitioner and restrain them from illegal acts against the petitioner.

4. Learned Standing Counsel for Municipality, on instructions, states that no illegal structures are being raised and because of disputes between the petitioner and the unofficial respondents, the present writ petition is filed. The same is denied by the learned

counsel for the petitioner by reiterating that the unofficial respondents are proceeding further with the constructions without obtaining permission from the authorities concerned.

5. That being the position, the petitioner shall make a fresh representation making note of the illegal constructions made by the unofficial respondents, in which event the same shall be dealt with in accordance with law, as early as possible after giving an opportunity of personal hearing to the petitioner and the unofficial respondents herein.

6. Accordingly, the Writ Petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

—
JUSTICE C. PRAVEEN KUMAR

Date:11.07.2016
INL