

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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WRIT PETITION No.20948 OF 2016
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ORDER:

Heard the learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development and the learned Government Pleader for Revenue.

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 an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of the respondents no.2 and 3 in not taking any action for protecting the open place an extent of 1770 sq. mts., equal to 2118.05 sq. yds., equal to Acres 0.43 Guntas in sy.no.23/B, L.P.No.78/81 of Tatiguda locality of Adilabad Proper and District, left for public park by constructing a compound wall and developing park even though the petitioner is moving their offices since 2014, even though the respondent no.2 issued proceeding on 01-01-2014 and even though the petitioner again submitted representations on 10-06-2016, is nothing but arbitrary, illegal, null and void and violative of Articles 14, 19 and 21 of the Constitution of India and also violative of principles of natural justice. Consequently, direct the respondents no.2 and 3 to take necessary action for protecting the open place an extent of 1770 sq. mts., equal to 2118.05 sq. yds., equal to Acres 0.43 Guntas in sy.no.23/B, L.P.No.78/81 of Tatiguda locality of Adilabad Proper and District, left for public park by constructing a compound wall and develop the park considering the proceedings issued by the respondent no.2, dated 01-01-2014 and the representation submitted by the petitioner, dated 10-6-2016, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

3. Though various grounds are raised in the writ petition, learned

counsel for the petitioner restricts his prayer seeking a direction to the 2nd respondent to consider the representation dated 10.06.2016 made by the petitioner to remove the illegal structures, which have been erected in the open space of L.P.No.78/81 of Adilabad Municipality.

4. Having regard to the circumstances of the case, the present Writ Petition is disposed of directing the 2nd respondent to consider the representation dated 10.06.2016 made by the petitioner and pass appropriate orders thereon, in accordance with law, as early as possible preferably within a period of three (03) weeks, after hearing all the aggrieved persons including the writ petitioner herein.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

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JUSTICE C. PRAVEEN KUMAR

Date:29.06.2016

Note:

Furnish C.C. within three (03) days

(B/O)

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