

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.1949 of 2016

Date:25.01.2016

Between:

S.B.Chandramma,
W/o S.B.Eeranna

..... **Petitioner**

And:

The State of A.P., repled by its
Principal Secretary, Municipal
Admn. & Urban Development Department,
Hyderabad and another.

.....**Respondents**

Counsel for the Petitioner: Mrs. K.Leela

Counsel for Respondent No.1: GP for Municipal Admn. (AP)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to set aside notice issued under Sections-189 and 192 of the Andhra Pradesh Municipalities Act, 1965, dated 08.01.2016, issued by respondent No.2, wherein it has directed the petitioner to remove the encroachment to the extent of 9.01 square meters within seven days of receipt of the said notice.

In her affidavit, the petitioner has denied any encroachment, as alleged by respondent No.2 in the impugned notice. She has also averred that after

receiving the impugned notice she has submitted her objections requesting respondent No.2 to consider her ownership over the subject property.

In the light of the above facts, respondent No.2 is directed to consider the objections, if any, received by it from the petitioner. Based on the material, if any, submitted by the petitioner, respondent No.2 shall decide whether the extent indicated in the impugned notice forms part of the petitioner's patta land or it forms part of the public road as alleged in the impugned notice. Such decision shall be communicated to the petitioner. Till this exercise is completed, respondent No.2 shall not enforce the impugned notice.

Subject to the above direction, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.2477 of 2016 shall stand disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*25th January, 2016
DR*