

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.21598 OF 2016

ORDER:

Heard the learned counsel for the petitioner and Sri M.D.Saleem, learned Standing counsel for Nandyal Municipality, for respondents 1 and 2. With their consent, the present Writ Petition is disposed of at the admission stage.

Since this Court is not going into the merits of the case, hearing the unofficial respondents may not be necessary.

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

“to issue a Writ or order or direction more particularly in the nature of Writ of Mandamus declaring the inaction on the part of the Respondent No. 1 & 2 in taking steps for demolition of unauthorised and illegal construction i.e., Two feet Steps projection into the Northern side public Road by Respondent No.3 and illegal construction of bath room and 4 feet steps by encroaching into the western side public road by Respondent No.4 as arbitrary, illegal, capricious and violative of principles of natural justice and against the provisions of Andhra Pradesh Municipalities Act, 1955 and consequently direct the Respondent No. 1 and 2 to demolish the unauthorised and illegal constructions made by Respondent No. 3 & 4.”

3. Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts her prayer seeking a direction to the respondents to consider the notice and reminder dated 05.09.2015 and 16.11.2015 respectively got issued by the petitioner making notice of illegal constructions made by the unofficial respondents i.e., three storeyed building constructed in D.No.22-43D and 22-44 at Kota Street, Nandyal.

4. Learned Standing Counsel for Municipality appearing for respondents 1 and 2 submits that if the said representations (notices) are still pending consideration, the same will be dealt with, in accordance with law.

5. Having regard to the above, and without going into merits of the case, the Writ Petition is disposed of directing the respondents to consider the representations made by the petitioner and pass appropriate orders thereon, if the same are still pending consideration, in accordance with law, as early as possible preferably within a period of two (02) weeks from the date of receipt of a copy of this order. Needless to mention that the authorities shall hear the petitioner and also the respondents before passing orders on the representations.

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

JUSTICE C. PRAVEEN KUMAR

Date:05.07.2016
INL