

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.39453 OF 2016

ORDER:

Heard Sri Challa Srinivasa Reddy, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj for respondent Nos.1 to 4 and Sri N.Praveen Kumar, learned Standing Counsel for respondent No.5-Municipality.

2. The petitioner apprehending construction of bus shelter by the respondents abutting or in front of his plot purchased by him on 23.11.2011, on 07.11.2016 submitted a representation to the 2nd respondent. The representation, no doubt was made about a week back. The apprehension voiced by the petitioner is that the respondents in haste are executing the work of construction of bus shelter, in which event, the rights of the petitioner are adversely affected. Learned counsel requests the Court to direct respondents 2 to 5 to consider and dispose of the representation expeditiously.

3. Learned Government Pleader from the annexure filed by the petitioner opposes consideration of writ prayer by this Court.

4. I have perused the annexures and the representation, dated 07.11.2016. This Court is of the view that the decision to construct a bus shelter by respondents 2 to 5 shall be in accordance with the orders passed by the competent authority and shall keep in view the objections/rights of the petitioner as well. Once the bus shelter is constructed, the petitioner will have to workout comprehensive remedies including removal of bus shelter.

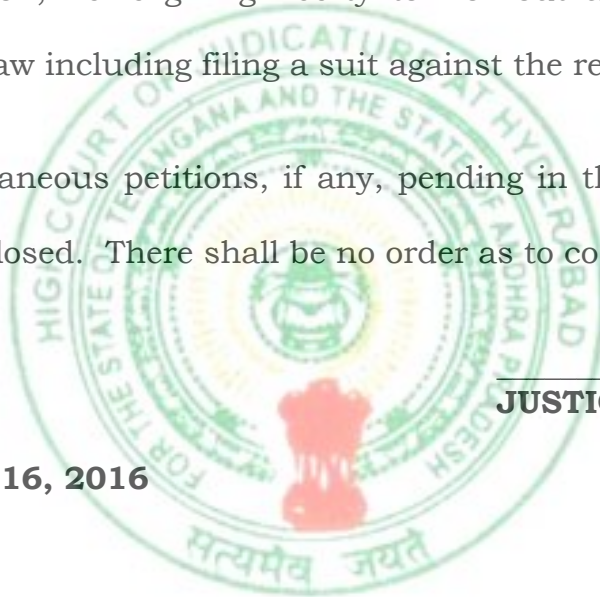
To avoid all contingencies and to enable the respondents to take an objective decision, the Writ Petition is disposed of by this order:

The petitioner is given liberty to re-submit the representation, dated 07.11.2016, along with a copy of this order not only to the 2nd respondent but also to respondents 3 to 5 in the writ petition within one week from today. The respondents are directed to examine the objections and take a decision on the objections and communicate the same to the petitioner within two (02) weeks thereafter. If the petitioner is aggrieved by such communication, he is giving liberty to workout all the remedies available in law including filing a suit against the respondents.

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

NOVEMBER 16, 2016
YVL

JUSTICE S.V. BHATT



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Dt: 16.11.2016

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