

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 13358 of 2016

ORDER:

Heard Sri P. Vinayaka Swamy, learned counsel for the petitioners, and Sri S.D. Goud, learned Standing Counsel for the third respondent Municipal Corporation.

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit in support of writ petition the petitioner herein prays that this Hon'ble Court may be pleased to issue appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 3rd respondent in not disposing and passing appropriate orders on the petitioners representation dated 15.02.2016 which was made to de-reserve the additional open space of an extent of Ac.0.28 cents in L.P.No.299/83 of Anantapuram Town and District as illegal, arbitrary and consequently direct the respondents to take steps on the representation dt. 15.02.2016 to de-reserve the additional open space of an extent of Ac.0.28 cents in L.P.No.299/83 of Anantapuram Town and District in the nature of justice and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

As the petitioners' request for de-reservation under their representation dated 15.02.2016 is still pending consideration before the Municipal Authorities, it is for them to apply their mind to this issue and take a decision thereon in the first instance. This Court therefore sees no purpose in entertaining this writ petition for adjudication on merits.

The writ petition is accordingly disposed of directing the Anantapuram Municipal Corporation to consider the petitioners' representation dated 15.02.2016 in accordance with law and take appropriate action thereon. In the event the Municipal authorities refuse the request of the petitioners, the reasons there for shall be

recorded and duly communicated to them. This exercise shall be completed expeditiously and in any event, not later than six weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date: 21.04.2016

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