

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

W.P. No. 32029 of 2016

DATE: 19.09.2016

Between:

M. Chandrasekhar Reddy

.. Petitioner

And

Union of India
and six others

.. Respondents



ORDER:-

This writ petition is filed for the following substantive relief:

“...to issue a Writ of Mandamus declaring action of the respondents in trying to construct a compound wall by including the existing Road in front of ACC sheds owned by the petitioner bearing Old Door No.9-56 (part), New Door No.9-106/ 1, Block No.9, Kothapet, Chandragiri village and Mandal, Chittoor District without leaving any space for ingress and egress and also making markings for construction of compound wall in front of ACC sheds owned by the petitioner, as illegal and arbitrary and consequently direct the respondents not to construct compound wall including the road which is in existence on the eastern side of the land belonging to the 2nd respondent.”

The learned counsel for the petitioner has submitted that the petitioner made a representation dated 20.06.2016 requesting the 2nd respondent to direct the authorities concerned not to construct compound wall around Medical Research Centre by encroaching the road, which is in front of the petitioner's shops, without leaving space for ingress and egress to his shops, however the same has not been considered so far, and moreover, the authorities of the 2nd respondent have already started marking the land for construction of compound wall.

The learned Standing Counsel for the Central Government appearing on behalf of respondent Nos.1 and 2 has submitted that they will consider the representation

dated 20.06.2016 said to have been filed by the petitioner within the time that may be stipulated by this Court.

Heard the learned counsel for the petitioner, learned Standing Counsel for Central Government appearing for respondent Nos.1 and 2, learned Standing Counsel for Gram Panchayat appearing for respondent No.7 and perused the material placed on record.

Keeping in view the averments made in the writ affidavit and the submission of the learned Standing Counsel for Central Government, this Court is inclined to dispose of the writ petition by directing respondent Nos.1 and 2 to consider the representation dated 20.06.2016 said to have been filed by the petitioner, and pass appropriate orders thereon, in accordance with law, within a period of one week from the date of receipt of a copy of this order. It is made clear that if the representation of the petitioner is not found in official records of the respondents, the representation dated 20.06.2016, which is stated to have been filed by the petitioner in this writ petition, shall be treated as his representation and communicate decision that may be taken in writing to the petitioner within a period of two days thereafter. It is needless to observe that if the petitioner is still aggrieved by the action or inaction of respondent Nos.1 and 2, he may approach appropriate forum.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

21.09.2016

Note: Furnish copy in three days

b/o

bcj

