

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.36744 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of the respondent, without issuing notice, earmarking an extent of 132 square yards in survey No.18/1AP. Assessment No.48492 at Door No.50-42-26/4, at P & T Colony area, Resapuvanipalem Village, Visakhapatnam as green belt zone adjacent to highway, as illegal and arbitrary and consequently prayed to pay compensation to the land to an extent of 132 square yards occupied by the respondent-authority or to provide TDR as per the Municipal Rules and Regulations.

2. On 04.11.2016 learned Standing Counsel for respondent-Corporation informed to the Court that the allegation made in the writ petition that the Corporation is trying to interfere with the possession and enjoyment of the property was not true as the subject property was acquired long back by the National Highways Authority. As directed by this Court on 04.11.2016, the learned Standing Counsel for respondent-Corporation furnished letter, dated 10.11.2016 to that effect.

3. When the matter was taken on 10.11.2016, as there was no representation on behalf of the petitioner, to give one more opportunity to the petitioner, the writ petition was directed to be listed under the caption "For dismissal". Even today when the matter is called, there is no representation on behalf of the petitioner.

4. Therefore, the Writ Petition is dismissed for non-prosecution. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P. NAVEEN RAO

DECEMBER 02, 2016
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Date:02.12.2016

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