

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

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W.P. No. 24244 of 2016

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DATE: 22.07.2016

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Between:

Paladugu Lakshmi Anasuya

.. Petitioner

And

The Eluru Municipal Corporation
and two others

.. Respondents

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ORDER:-

This writ petition is filed for the following substantive relief:

“..... to issue a writ, order or direction more particularly one in the nature of writ of mandamus, declaring the action of respondent Nos.1 and 2 in not taking any action against the illegal and unauthorized constructions being made by the 3rd respondent adjacent to the petitioner's vacant site situated in R.S.No. 92,

4th Lane, Shantinagar Colony, Eluru in spite of petitioner's complaints dated 11.07.2016 and 19.07.2016, as illegal, arbitrary, malafide and against the principles of natural justice apart from being violative of Article 300-A of the Constitution of India and consequently direct respondent Nos.1 and 2 to take appropriate action in accordance with law on the petitioner's complaints”.

Sri K.Ramesh Kumar, learned counsel for the petitioner, has submitted that the petitioner made complaints dated 11.07.2016 and 19.07.2016 to the 1st respondent stating that the 3rd respondent, without obtaining any approval of plan from the Municipal authorities, is making some illegal and unauthorized constructions adjacent to the petitioner's vacant site thereby damaging his boundary wall, but so far, the official respondents have neither considered his complaints nor

taken any action against the 3rd respondent.

Sri Ancha Pandu Ranga Rao, learned Standing Counsel for Eluru Municipal Corporation appearing for respondent Nos.1 and 2, has fairly submitted that the Municipal authorities will consider the complaints made by the petitioner and take appropriate action in accordance with law within the time that may be stipulated by this Court.

Keeping in view the averments made in the writ affidavit and the submissions of the learned counsel for both the parties, I deem it appropriate to dispose of the writ petition with the following direction:

“Respondent Nos.1 and 2 are directed to consider the complaints dated 11.07.2016 and 19.07.2016 said to have been made by the petitioner and pass appropriate orders thereon in accordance with law, within a period of two weeks from today. The illegal constructions alleged to have been made by the 3rd respondent in the site in question shall not give any right to the 3rd respondent over the property. It is needless to mention that if the petitioner is still aggrieved by the action that may be taken by the official respondents, he may approach appropriate forum for redressal of his grievance.”

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

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

22.07.2016

Note:- Furnish copy by tomorrow

b/o

bcj