

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.27415 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the inaction of the second respondent in disposing of the representation of the petitioner dated 02.03.2015, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and Sri N.Praveen Kumar, the learned Standing Counsel for Nagara Panchayat.

3. A perusal of the record reveals that the petitioner is the owner of the house bearing Door No.2-2-85/2, Amar Nagar, Peddapally Village and Mandal by virtue of a registered gift settlement deed dated 05.05.2011. One N.Rayamallu is the owner of the house bearing Door No.2-2-85/1. The grievance of the petitioner is that the said Rayamallu constructed the house in gross violation of the permission granted by Nagar Panchayat. A perusal of the record further reveals that the petitioner submitted a representation to the second respondent on 02.03.2015. For one reason or other, the second respondent has not disposed of the said representation of the petitioner. Admittedly, the said Rayamallu is not a party in this writ petition. In the absence of said Rayamallu, it is not fair on the part of this Court to express any opinion touching the merits of the main case.

4. At the time of argument, the learned counsel for the petitioner submitted that the second respondent may be directed to dispose of the representation of the petitioner. The learned Standing Counsel for the second respondent also consented for the same.

5. Having regard to the facts and circumstances of the case and also the submissions made by learned counsel for both parties, the second respondent is hereby directed to dispose of the representation

dated 02.03.2015 of the petitioner, after affording a reasonable opportunity to the petitioner as well as the said Rayamallu, as expeditiously as possible, preferably within a period of two (2) months from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of.

No costs.

7. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 17.08.2016

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