

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.30184 OF 2012

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DATED : 22.04.2016

Between :

Pakanati Subbaravamma,
W/o.Chandra Sekhar Reddy,
Aged 45 yrs, Occu :Housewife,
R/o.H.No.1-1-1(5), Swarna Road,
Vykuntapuram, Chirala, Prakasam District.

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Petitioner

and

Chirala Municipality,
Rep., by its Commissioner,
Chirala Town, Prakasam District.

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Respondent

This court made the following :

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ORDER :

With the consent of learned counsel for the parties, the writ petition is disposed of at the admission stage.

2. When the matter is taken up learned counsel for the petitioner submits that petitioner be given liberty to make a representation to the Commissioner, Chirala Municipality, as a response to the notice dated 18.09.2012 alleging removal of encroachments, with all requisite documents in support of the claim that the subject property belongs to the petitioner and that petitioner is not in unauthorized occupation.

3. The said request of the petitioner is not opposed by the learned counsel for the respondent-Municipality.

4. Having regard to the said submissions, the writ petition is disposed of as under :

"The petitioner is granted liberty to file a detailed representation as response to the notice dated 18.09.2012 enclosing all the documents as available in her possession to substantiate her claim that she is the owner. Such representation shall be filed within a period of two weeks from the date of receipt of copy of this order and on filing of such representation the respondent shall consider the same objectively and pass appropriate orders as warranted by law. The respondent shall fix a date and intimate the same to the petitioner in advance for personal hearing and shall pass orders after affording due opportunity to the petitioner, within a further period of four weeks from the date of submission of the representation. If such representation is submitted within the time fixed as above, no coercive action shall be taken against the petitioner till final orders are passed. It is however open to the respondent-Corporation to take action against the petitioner, if no representation is submitted within the time granted by this Court. It is also open to the petitioner to avail all other remedies, if aggrieved by the order of the Commissioner. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

22nd April, 2016
Rds

P.NAVEEN RAO,J

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