

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.24441 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the action of the respondent authorities in not taking any action to stop the illegal and unauthorized construction made by the respondents 6 and 7 in the petitioner's plot in Sy.No.169/7 situated at Shrungavarapukota village and Mandal, Vizianagaram District without any manner of right and without any valid permission from the authorities concerned inspite of the written representation of the petitioner dated 11.07.2016 as illegal and arbitrary and consequently direct the respondent authorities to demolish the illegal and unauthorized construction made by the unofficial respondents.

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development.

The case of the petitioner is that the unofficial respondents 6 and 7 are making constructions in the land of the petitioner in Sy.No.169/7 situated at Shrungavarapukota village and Mandal, Vizianagaram District. Questioning the same, he made a representation dated 11.07.2016 to the respondents 2 and 3. Whether the respondents 6 and 7 have encroached into the land of the petitioner or not has to be decided by the competent authority and not by this Court. While exercising the jurisdiction under Article 226 of the Constitution of India, this Court cannot go into the disputed questions of fact.

The only request made by the petitioner is to direct the

respondents 2 and 3 to dispose of the representation of the petitioner dated 11.07.2016.

Having regard to the facts and circumstances of the case and in view of the submissions made by both the counsels, the respondents 2 and 3 are hereby directed to dispose of the representation of the petitioner dated 11.07.2016 in accordance with law as expeditiously as possible, preferably, within a period of two months from the date of receipt of copy of this order.

With the above direction, the writ petition is disposed of. As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

**T.SUNIL
CHOWDARY, J**

26.07.2016
Rns

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