

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 23032 of 2016

ORDER:

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Heard learned counsel for the petitioner, Government Pleader for Municipal Administration and Urban Development and Sri Md.Saleem, learned Standing Counsel for the second respondent-municipality. With the consent of both the parties the writ petition is taken up for disposal at the admission stage itself.

There is no necessity to put the unofficial respondent on notice as this Court is not venturing to adjudicate the issue on merits.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the second respondent in not taking any action against the third respondent for his un-authorised construction by encroaching the road margin on the property bearing Door No.18-36, Near New Bus Stand, Guntakal, Anantapuram District, as illegal and contrary to the provisions of the Andhra Pradesh Municipalities Act; and consequently direct the second respondent to remove the un-authorised constructions made by encroaching on to the road margin.

Learned Standing Counsel for the second respondent submits that no representation was made by the petitioner before the second respondent and the representation which is filed along with the writ petition was made to the Revenue Divisional Officer.

Having regard to the facts in issue, the writ petition is

disposed of directing the petitioner to make a representation to the authorities concerned by bringing to their notice the encroachments made on to the road margin by the third respondent in respect of the property, which is subject matter of dispute in this writ petition, in which event the same shall be dealt with in accordance with law at the earliest. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

14.07.2016
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