

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 11376 OF 2017

ORDER :

Complaining inaction on the part of Respondents 1 and 2 against the alleged illegal constructions raised by Respondents 3 to 5, this Writ Petition has been filed.

The case of the petitioner is that her husband was the absolute owner and possessor of Ac.0.14 cents of land in Survey No. 171, Ward No. 5, Madanapalle, Chittoor District. After his death, the petitioner and her sons inherited the said property. While so, when Respondents 3 to 5 started interfering with the said property, the petitioner and her sons filed O.S. No. 140 of 2011 on the file of the Court of the Additional Senior Civil Judge, Madanapalle and obtained the order of injunction against them. Still, the unofficial respondents have been constructing permanent building in the above-said land without obtaining any permission or getting the plan approved. The petitioner therefore, got issued the legal notice dated 08.03.2017 to the Commissioner, Madanapalle Municipality, but no action has been taken thereon is the grievance in this Writ Petition.

Heard learned counsel for the petitioner as well as Sri Mohd. Saleem, learned Standing Counsel for the 2nd respondent.

As can be seen from the material placed before this Court, it appears, the 2nd respondent has already issued the notice dated 19.01.2017 invoking Section 228(1) and (2) of the Andhra Pradesh Municipalities Act, 1965 to Respondents 3 to 5.

Inasmuch as the 2nd respondent – Madanapalle Municipality is seized of the matter, the Writ Petition is disposed of directing it to conclude the proceedings initiated against Respondents 3 to 5, pursuant to the notice dated 19.01.2017 issued under Section 228(1) & (2) of the Andhra Pradesh Municipalities Act, 1965, in accordance with law, as early as possible. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

30th March 2017

CHALLA KODANDA RAM, J

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