

WRIT PETITION No.19193 of 2017

ORDER :

This writ petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“to issue a Writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the 2nd respondent in threatening to demolish the portion of the petitioners building in 3rd and 4th floors in bearing Door Nos.9-14/ 1 in house tax assessment No.4170 in Survey No.145/ 1 of Kothapeta Revenue village in Vetapalem Mandal of Prakasam District, as illegal, irregular, irrational, violative of provisions of Andhra Pradesh Panchayat Raj Act 1994 and rules framed there under and offends Articles 14, 21 and 300A of Constitution of India and consequently direct the 2nd respondent not to interfere in any manner into the peaceful possession and enjoyment of house in an extent of 968 sq.yards of site in block No.10 in Survey No.145/ 1 of Kothapeta Revenue village in Vetapalem Mandal of Prakasam District without following due process of law the 2nd respondent consider the representation dated 10-03-2011 and pass any other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Sri G.Rama Rao, learned Senior Counsel for the petitioners and the learned Government Pleader for Panchayat Raj for the 1st respondent and Sri G.Seshadri, learned Standing Counsel for the 2nd respondent, who offers to file vakalat saying got instructions and perused the prayer and affidavit filed in support of the writ petition along with other material.

Instead of keeping the writ petition pending, on hearing both sides, the writ petition can be disposed of having regard to the innocuous grievance of the petitioner in the writ petition, directing the respondents to consider the

representation of the petitioner dated 10-03-2011 within a period of four weeks from the date of receipt of copy of this order. In the meantime, the respondents shall not take any coercive steps to demolish the existing structures in the subject property. If the petitioners have any further grievance, it is left open to them to agitate the same in accordance with law.

With the above direction, this Writ Petition is disposed of at the stage of admission. No order as to costs.

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

Date: 15.06.2017
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Dr. B. SIVA SANKARA RAO J,

