

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.15917 OF 2012

ORDER:

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

“to issue an appropriate writ, order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of respondents No.2, 4, and 5 in not considering the petitioner representation 10-4-2012 for illegal laying of wall by the 3rd respondent which was leading to the petitioner's house 5 feet Pathway situated at Maruthinagar, Mandamarri Town, Mandamarri Mandal, Adilabad District is illegal, arbitrary and in violation of principles of natural justice and consequently direct the respondents 2, 4 and 5 to demolish the 3rd respondent wall which was laid in the path way leading petitioner's house and pass such other order or orders as this Hon'ble court deems fit, proper and appropriate in the circumstances of the case.”

2. Case of the petitioner is that respondent No.3 illegally laid a wall in the pathway leading to his house and the official respondents are not taking any action to demolish the said wall and that though he made a representation on 10.04.2012 to respondent No.2, the same was not disposed of till date.
3. Heard and perused the material available on record.
4. The writ petition was filed in the year 2012. Till date, no interim order was granted. It is also not evident from the record as to whether the said representation was disposed of or not. In any

event, considering all the facts and circumstances of the case, without going into the merits of the case, the petitioner is directed to make a fresh representation to respondent No.2 if the cause survives and on such representation being made, respondent No.2 shall consider the same and pass appropriate orders, in accordance with law, as expeditiously as possible.

5. The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

6. Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

22.2.2017
AMD



JUSTICE RAJA ELANGO

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Date: 22.2.2017

AMD