

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.18977 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed with a prayer to declare the action of the respondents 2 and 3 in not taking action to stop the illegal and unauthorized construction raising by the 4th respondent in house site admeasuring Ac.0.82 cents in Sy.No.53-9A1 in Plot No.23 of Kakkalapalli, Anantapuram Municipal limits inspite of the representation, dated 30.05.2017, of the petitioner, as illegal and arbitrary and consequently, direct the respondents 2 and 3 to take effective steps in accordance with law to stop and remove the unauthorized and illegal constructions.

Heard and perused the material available on record.

The case of the petitioner is that she in exclusive possession and enjoyment of the subject land and eking out her livelihood by doing milk business and that subsequently, the revenue authorities also issued house site possession certificate, dated 05.03.1999, in her favour since she is a landless poor. While so, the Revenue Authorities have issued house site possession certificate in respect of the same land in favour of the 4th respondent illegally, and without giving any notice to the petitioner. The 4th respondent is raising constructions illegally and unautohrizedly in the said land without any prior sanction from the 2nd respondent - Municipal Corporation. Therefore, the petitioner submitted representation, dated 30.05.2017, to the 2nd respondent by stating the factual aspects, but no action has been taken so far.

Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

The 2nd respondent is directed to consider the representation, dated 30.05.2017, submitted by the petitioner, and take appropriate action in accordance with law regarding the unauthorized constructions alleged to have been made by the 4th respondent.

With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

June 13, 2017

KTL



RAJA ELANGO, J