

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.32765 of 2017

ORDER:

Heard the learned counsel for the petitioners; the learned Government Pleader for Panchayat Raj appearing for respondents 1 and 3; the learned Government Pleader for Revenue appearing for respondents 2 and 7 and Sri G.Seshadri, learned counsel appearing for respondents 5 and 6. With their consent, the Writ Petition is disposed of at the stage of admission itself.

2. Since this Court is not going into the merits of the case, it may not be necessary to issue notice to the unofficial respondents.

3. This Writ Petition, under Article 226 of the Constitution of India, is filed with the following prayer:

“...to issue appropriate Writ, Order or Direction, more particularly one of Writ of Mandamus declaring the inaction of the Respondents in removing the illegal constructions of 9th Respondent in S.No.91 of S.V. Villlage, Bhogole Mandal, SPSR Nellore District as arbitrary, illegal and contrary to sections 98 and 121 of A.P. Panchayat Raj Act, 1994 and consequently direct the Respondents to remove the illegal Construction of 9th Respondent in S.No.91 of S.V. Palem Village, Bhogole Mandal, SPSR Nellore District”

4. Though various grounds are raised in the writ petition, learned counsel for the petitioners submits that the petitioners made a representation, dated 12.07.2017 to the 2nd respondent requesting

to take necessary action against the encroachment and illegal constructions made by respondent No.9 in the Government Poramboke land, which was used by Government School as play ground.

5. Learned Government Pleader would submit that the authorities will consider the representation, dated 12.07.2017, made by the petitioners, in accordance with law, if the same is still pending consideration.

6. Having regard to the above, the Writ Petition is disposed of directing the 2nd respondent to consider the representation, dated 12.07.2017, made by the petitioners with regard to the alleged encroachments and illegal constructions made by respondent No.9, in accordance with law, as early as possible preferably within a period of two (02) weeks from today. If necessary, the respondent authorities shall inspect the premises and take steps for preventing any further encroachment or construction, if any, in the subject land.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:22.09.2017

Note: Furnish CC by tomorrow

(B/O)

INL