

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.29792 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“ For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to issue a Writ, order or direction, especially one in the nature of Writ of Mandamus declaring the action of the respondents in causing obstruction by putting a rod across the pathway at Bridge-Lanka Ramp, near Kumari Talkies, T.Nagar, Rajamahendravaram pursuant to the letter in Roc No.2206/2017-G1, dated .05.2017 addressed by the 6th respondent to the 3rd respondent denying the livelihood of the members of the petitioner's societies without giving any notice to the petitioner's societies or allotting a suitable ramp at a different convenient place as mentioned in the said letter is wholly illegal, high handed, arbitrary, violation of principles of natural justice and violation of Articles 19, 21 of the Constitution of India and consequentially direct the respondents to remove the obstruction by allowing the members of the petitioner's societies to carry on the sand excavation operations as usual forthwith as per the proceedings vide Rc.No.2213/Sand/2014, dated 10-10-2014 by considering the representation dated 02.08.2017 or in alternative the respondents may be directed to permit the members of the petitioner's societies to carry on the sand excavation operations in the same place, i.e., at Bridge-Lanka Ramp, near Kumari Talikes, T.Nagar, Rajamahendravaram, till the suitable/convenient ramp is allotted to them and pass such other order or orders as are deemed fit and proper.”

(Reproduced verbatim)

2. I have heard the submissions of *Sri S Subba Reddy*, learned counsel appearing for the petitioners, of the learned Government Pleader for Industries & Commerce appearing for the 1st respondent, of the learned Government Pleader for Mines & Geology, appearing for the

2nd respondent, of the learned Government Pleader for Revenue, appearing for the 3rd respondent, of *Sri H.Panduranga Rao*, learned Standing Counsel, appearing for the 6th respondent and of the learned Government Pleader for Irrigation & Command Area Development, appearing for the respondents 5 to 7.

3. At the hearing, learned counsel appearing for the petitioners would submit that by the proceedings in Ref. No.G/ 2214/ 2017, dated 24.08.2017, an alternative site has been provided by the Government to the petitioners and that in view of the said proceedings, which are placed on record, the writ petition may be closed.

4. Learned Standing Counsel appearing for the 6th respondent/ Municipal Corporation would submit that in view of the subsequent events, necessary orders closing the writ petition can be passed.

5. In view of the aforesaid submissions and the proceedings, dated 24.08.2017, referred to supra, the writ petition shall stand disposed of accordingly.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

M. SEETHARAMA MURTI, J

31st October, 2017

Note:- Issue CC in two days
(B/ o)
RAR