

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20774 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the action of the 2nd respondent in not taking any action on the representation, dated 06.07.2017, submitted by the petitioner, as illegal and arbitrary, consequently, direct the respondents to consider the abovementioned representation of the petitioner.

Heard and perused the material available on record.

It is the case of the petitioner that the husband of the petitioner is the owner of house bearing D.No.49-2-C-38, admeasuring 222 square yards in Survey No.781/ C, situated at Lakshminagar, 49th street, Kurnool City, Kurnool and he got the same by way of Gift from his mother vide document, dated 15.06.2016. Since then, the petitioner and her family members are in peaceful possession and enjoyment of the same. The name of the petitioner's husband was also mutated in the municipal records. The land adjacent to the house of the petitioner belongs to the Wakf Board and recently some third parties have illegally made plots and sold them and the 3rd respondent, who is neighbour of the petitioner, has fixed his boundary stone in the plot of petitioner and trying to start construction. Therefore, the petitioner submitted representation, dated 06.07.2016, to the 2nd respondent to take action against the illegal and unauthorized occupation of the land of the petitioner and also to conduct survey of the land of the Wakf Board. But, no action has been taken by the 2nd respondent so far.

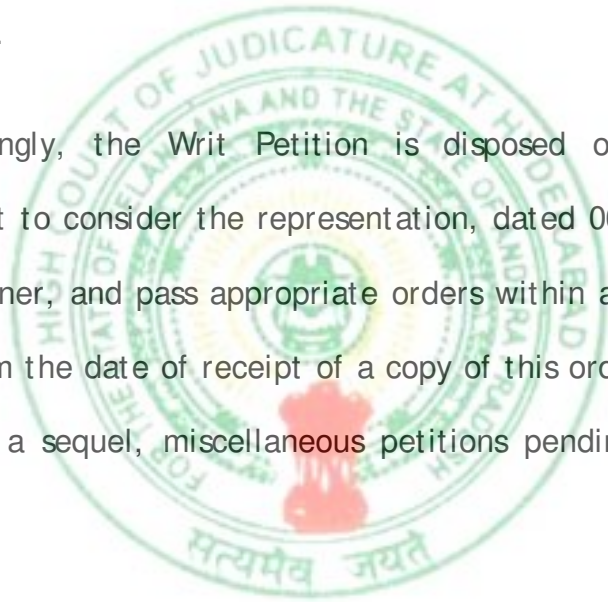
Learned counsel for the petitioner mainly contended that though the petitioner submitted her representation way back on 06.07.2016,

the authority concerned has not taken any action so far and that the respondents may be directed to consider the representation of the petitioner and pass appropriate orders within a specific period of time.

Learned Standing Counsel for the 2nd respondent submitted that the respondents will consider the representation of the petitioner.

Considering the submissions of the learned counsel for both sides, without expressing any opinion on merits, this Court is of the view that the writ petition can be disposed of with a direction to the 2nd respondent to pass appropriate orders on the representation made by the petitioner.

Accordingly, the Writ Petition is disposed of directing the 2nd respondent to consider the representation, dated 06.07.2016, made by the petitioner, and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. No order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.



RAJA ELANGO, J

June 27, 2017
KTL