

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 5523 of 2017

ORDER:

The Writ Petition is filed declaring the inaction of respondent No.1, in taking action on the representation dated 22.02.2016, submitted by Rama Murthy Nagar Owners Association, for removal of encroachment on public road by respondent Nos.3 and 4, as being illegal and arbitrary. A consequential direction is sought to respondent No.1 to remove the encroachment on public road made by respondent Nos.3 and 4 by considering the representation submitted by association on 22.02.2016.

Petitioner's mother-in-law is the owner of the building bearing D.No.16-7-187, Main Road, Rama Murthy Nagar, Nellore. Original owners of the property submitted an application to respondent No.1 for conversion of land into house sites, and the same was approved by layout plan No.70/94N1, dated 24.02.1994. The original owners sold the plots to various persons, and the purchasers formed into an association known as Rama Murthy Nagar Owners Association. Respondent No.4, who is the owner of plot bearing D.No.16-7-188, had given the said property to respondent No.3 for construction of residential complex. Respondent No.3 had constructed the compound wall encroaching the road, which is causing much inconvenience

to the residents of the locality and, therefore, the association made a representation on 08.04.2015. Action has since not been taken by respondent No.1 pursuant to representation dated 08.04.2015, another representation was made to respondent No.1 on 22.02.2016. Despite the aforesaid representations, no action has been taken by respondent No.1. Hence the Writ Petition.

Learned counsel for the petitioner submits that the encroachment made by respondent No.3 on the public road is obstructing traffic of vehicles and causing much inconvenience to the resident of the locality.

Sri A.Pandu Ranga Rao, learned Standing Counsel for respondent No.1 – Corporation, would submit that representation dated 22.02.2016 made by the Association is pending consideration before respondent No.1; and necessary action would be taken for removal of encroachments on the public road at the earliest.

I consider it appropriate, therefore, to dispose of the Writ Petition directing respondent No.1 to consider the petitioner's representation dated 22.02.2016, and take necessary action for removal of encroachments, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of.

Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

CHALLA KODANDA RAM,J

Date: 17.02.2017
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