

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.10010 OF 2017

ORDER:

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

“to issue an appropriate writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not taking any steps in pursuance of the Lr.Roc.No.G1/341, dated 13-03-2015 as arbitrary, illegal, in violation of Article 14 of the Constitution of India and for extraneous considerations and consequently direct the respondents to take appropriate steps in pursuance of the Lr.Roc.No.G1/341, dated 13-03-2015, of the 3rd respondent forthwith and to pass such other order or orders as this Hon’ble Court may deem fit just and proper in the circumstances of the case.”

2. The main grievance of the petitioners is that basing on the complaint made by petitioner No.2 against respondent No.4 stating that having obtained a residential permission for construction of Ground + 2 floors, he constructed a hotel, bar and restaurant in the name and style of Hotel Saileela Residency and also made illegal encroachments of 15 feet public open drain and 20 feet public road and made illegal constructions, respondent No.3 issued the aforesaid letter, but pursuant to the said letter, no action was taken by him against respondent No.4 to remove the illegal constructions. Hence, they filed the present writ petition.

3. Heard and perused the material available on record.

4. Considering all the facts and circumstances of the case and the grievance of the petitioners, without going into the merits of the case, the official respondents are directed to take appropriate action against respondent No.4 pursuant to the issuance of letter *vide* Lr.Roc.No.G1/341, dated 13.03.2015, of respondent No.3 in accordance with law. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

Date : 19.06.2017
AMD



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