

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.26335 OF 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondent Nos.2 & 3 in not considering the petitioner's SMS messages dated 21.04.2017 and 29.04.2017 followed by representation dated 05.05.2017 against the illegal construction, which is being made by the Respondent No 4 without any permission or sanction and without leaving any setbacks by occupying 14 feet public road Opposite to D.No 42/307-45, Road No.3, East Cross Road, Bhagyanagar Colony, Kadapa Town, as being illegal, arbitrary and in violation of principles of Natural Justice and fair play, apart from violation of Articles 19 and 21 of the Constitution of India and consequently direct the Respondents to forthwith remove the illegal constructions made by the 4th Respondent at the aforesaid house.”

2. Heard Sri Ch.Vidyasagar, learned counsel for the petitioner, and Sri S.D.Gowd, learned Standing Counsel appearing for respondent Nos.2 and 3.

3. When the matter is taken up, it is submitted by the learned counsel for the petitioner that for redressal of grievance of the petitioner herein, the petitioner submitted a representation/complaint to respondent No.2 on 05.05.2017 but no action has been taken on the same. A request is made by the learned counsel to direct respondent No.2 to take appropriate

action on the said representation/complaint by fixing some timeframe.

4. On the other hand, it is submitted by the learned Standing Counsel appearing for respondent No.2 Corporation that if any such representation is pending with respondent No.2, the same will be verified and considered and further action will be taken strictly in accordance with law after giving notice to all the stakeholders.

5. In view of the above, the Writ Petition is disposed of, without expressing any opinion on merits in the matter, directing respondent No.2 to consider and take appropriate action on the representation/complaint, dated 05.05.2017, said to have been submitted by the petitioner herein after giving notice to all the stakeholders strictly in accordance with law. There shall be no order as to costs.

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

JUSTICE A.V.SESHA SAI

Date : 03.10.2017
AMD

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