

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.38261 of 2017

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the grievance of the petitioners is that the second respondent – Municipal Corporation is not taking any action despite the representations dated 22.11.2016, 07.11.2017 and 30.10.2017 of the petitioners, whereby they brought to the notice of the Municipal Corporation about the illegal constructions being made by the third respondent by encroaching into a public road to an extent of seven feet width.

2. I have heard the submissions of learned counsel for the petitioners and learned Standing Counsel appearing for the second respondent. I have perused material record.

3. At the hearing, learned counsel for the petitioners would submit that if a direction is given to the second respondent – Municipal Corporation to consider and dispose of the representations of the petitioners, the ends of justice would be met.

4. Learned Standing Counsel appearing for the second respondent – Municipal Corporation, on instructions, would submit that an inspection has already been made by a competent officer of the Municipal Corporation and that on such inspection, it was found that the constructions are being made by the third respondent after obtaining permission only and that no encroachment into the road has been made while making such constructions.

5. Recording the submissions, the writ petition is disposed of directing the second respondent to consider and dispose of the representations

dated 22.11.2016, 07.11.2017 and 30.10.2017 of the petitioners, in strict accordance with the procedure established by law within four weeks and communicate the decision taken thereon to the petitioners within a week thereafter.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

M. SEETHARAMA MURTI, J

Date: 15.11.2017
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