

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.28666 OF 2014

ORDER:

Heard Mr.P.Kamalakar for petitioner and the Assistant Government Pleader for respondents 1 to 3.

The petitioner prays for the following relief:

“...Writ of a Mandamus or any other appropriate Writ, direction or order declaring the action on the part of the Superintendent of Police, Anantapur; the Inspector of Police, Tadipatri (Rural) Police Station and the District Collector and District Magistrate, Anantapur, respondents 2, 3 and 4 herein, in not preventing the 5th respondent, its office bearers and members from trespassing on the land of the petitioner Mill in Sy Nos. 1100, 1103, 1104 and 1105 of Yerraguntapalli Village, Tadipatri Mandal, Anantapur District, for raising construction for locating Sri Anjaneya Swamy Temple and Dastagiri Peerla Chavadi, as illegal and void and direct them to forthwith take action in this regard and give police protection to the petitioner mill and its security staff...”

On 24.09.2014, the following interim order was passed.

“Notice before admission returnable in six weeks.

Learned counsel for the petitioner is permitted to take out notice to the respondents by registered post with acknowledgement due by supplying the entire paper book in the writ petition and file proof of service into the Registry.

In the meantime the respondent Nos.2 and 3 shall take all necessary steps to prevent any unauthorized construction from coming up in the premises of Anantapur Cotton Mills, Yerraguntapalli Village, Anantapur District.

Post after six (6) weeks.”

The respondents neither filed counter nor petition to vacate the interim order.

Mr.Kamalakar submits that by virtue of the interim order dated 24.09.2014, the unauthorised constructions against which a complaint was made on 25.08.2014 is substantially attended to. He requests the Court to make the interim order as final order and further direct the respondents to examine the complaints and act in accordance with law.

The Assistant Government Pleader (Home) does not have instructions in the matter. He also does not oppose the prayer of petitioner.

I am satisfied that the writ petition can be disposed of by this order:

- a) Interim order dated 24.09.2014 is made final order in the writ petition.
- b) The 3rd respondent is directed to enquire into the complaints filed by the petitioner, if already not investigated, and take action in accordance with law.

The writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Date:25.04.2017
Sp

S.V.BHATT,J

