

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.37921 of 2017

ORDER:

In this Writ Petition, the challenge is to the inaction of the third respondent in safeguarding the Government property, namely, Jaffar Saheb Kaluva Katta, which is adjacent to the road margin and on the way to Mypadu, encroached upon by respondents 8 and 9 herein to an extent of about 50 square yards in Survey No.316/1-1, Nellore Bit-II, Canal Site, Nellore District.

2. The case of the petitioner is that despite the representation dated 03.07.2017 of the petitioner and an admission by the unofficial respondents that they encroached the property, the Corporation is not taking any action against them and not removing the encroachment and protecting the Government property.

3. Learned Standing Counsel appearing for the third respondent – Municipal Corporation would submit that the Corporation will consider and dispose of the representation of the petitioner and if necessary, it will take action against respondents 8 and 9 in strict accordance with the procedure established by law.

4. Recording the submissions, the writ petition is disposed of directing the third respondent – Corporation to consider and dispose of the representation dated 03.07.2017 of the petitioner in strict accordance with the procedure established by law, however, after affording an opportunity of hearing to the petitioner as well as the unofficial respondents, within four weeks from the date of receipt of a copy of this order and communicate the decision taken thereon to the concerned 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: 16.11.2017  
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