

**The Hon'ble Sri Justice M.Seetharama Murti**

**Writ Petition No.43212 of 2017**

**Dated 22.12.2017**

**Order:**

This Writ Petition is filed seeking the following relief:

“Issue a writ, order or direction particularly one in the nature of writ of Mandamus declaring the action of the respondents 2 and 3 in not taking action against the illegal construction made by the respondents 5 and 6 in a plot covered by Sy.No.317/B abutting to main road leading from Bhupalpally to Mahadevpuram, Rajivnagar, Bhupalpally, Jayashankar Bhupalpally District, as illegal and arbitrary and consequently direct the respondents 2 and 3 to take steps for removal of illegal construction made by the respondents 5 and 6 in the plot covered by Sy.No.317/B abutting to main road leading from Bhupalpally to Mahadevpuram, Rajivnagar, Bhupalpally, Jayashankar Bhupalpally District.”

(Reproduced verbatim)

Heard the submissions of Sri A.Prabhakar Rao, learned Counsel for the petitioner, and Sri N.Praveen Kumar, learned Standing Counsel appearing for respondent Nos.2 and 3- Municipal authorities. Perused the material available on record.

At the hearing, learned Counsel for the petitioner would submit that though the petitioner is the owner of the plots admeasuring 159 and 142 square yards in Survey No.317/B of

Bhupalpally, Jayashankar Bhupalpally District, respondent Nos.5 and 6 have been unauthorisedly and illegally constructing a tin sheet shed therein without any manner of right and that despite giving representations, dated 18-11-2017 and 14-12-2017, no action has yet been taken thereon by respondent Nos.2 and 3. He would further submit that if a direction is given to respondent No.2 to consider and dispose of the said representations, the ends of justice would be met.

Learned Standing Counsel appearing for respondent Nos.2 and 3- Municipal authorities endorsed the said submission. He would submit that action has already been initiated by issuing a notice to respondent Nos.5 and 6; that an explanation was also received from them; and that the matter is under consideration.

Having regard to the facts and circumstances of the case, this Writ Petition is disposed of directing respondent No.2 to consider and dispose of the aforestated representations of the petitioner within three weeks from the date of receipt of a copy of this order, however, in strict accordance with the procedure established by law; and communicate the decision thereon to the petitioner within a week thereafter.

As a sequel to disposal of the Writ Petition, Miscellaneous  
Petitions, pending if any, stand disposed of as infructuous.

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(M.Seetharama Murthi, J)

Dt: 22<sup>nd</sup> December, 2017  
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