

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.2384 of 2018

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Municipal Administration for respondent No.1 and learned Standing Counsel, Smt P. Lakshmi, for respondent No.2, saying filed appearance before the Registry and got instructions orally and perused the prayer in the writ petition with supporting affidavit and other material on record.

2. The prayer in the writ petition reads as follows:

“.....to issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in not considering the complaint filed by the petitioner on 18.2.2017 to remove illegally erected Gate by neighbour i.e., Fathima Sultana towards Southern Side of the petitioner's land situated in between Plot No.45 & 46, admeasuring 250 Sq.Yds., in Sy.No.267 of Lashkar Singaram Village, Hanamkonda Mandal, Warangal District is illegal, arbitrary and unconstitutional and consequently direct the Respondent No.2 to consider the complaint filed by the petitioner on 18.2.2017 for removing illegally erected gate by the petitioner's neighbor i.e., Fathima Sultana and such other order or orders that are deemed fit and proper in the circumstances of the case.”

3. The main grievance of the petitioner from the prayer of the writ petition supra, is that despite representations there is in action on the part of the 2nd respondent to remove the unauthorised and illegal construction of the neighbour Smt.Fathima Sultana to the South of the

petitioner's land between Plot Nos.45 and 46 of 250 sq. yards in Sy.No.267 of Lashkar Singaram Village, Hanamkonda Mandal, Warangal District. It is the submission of the learned Standing Counsel that already notices are issued to remove the illegal construction and they are going to take steps according to law soon and they cause remove the illegal construction as per law.

4. By recording the same, the writ petition is disposed of by directing the 2nd respondent to take appropriate steps according to law to see that if there is any illegal construction to remove by following due process at any cost within six weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

29th January 2018

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Dr. B. SIVA SANKARA RAO, J