

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.7322 of 2018

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, with the following prayer.

“To issue a writ order or direction more particularly one in the nature of Writ of Mandamus aggrieved by the inaction of Respondent Nos.2 to 4 in not taking steps pursuant to the representation of the Petitioner dated 8.8.2017 for protecting the R and B Road Margin situated in front of the Petitioners sawmill/property in Sy No 325 Velkur Village Gangadhara Nellore Mandal Chittoor District by blocking the way/ to ingress and egress to the Petitioner property is illegal arbitrary violation of the functions of the official Respondents apart from Petitioners rights guaranteed under Article 19(1)(g) and 21 of Constitution of India and consequently direct the Respondents No. 2 to 4 to take action to remove or prevent to erect unauthorized structures or huts and further remove structures/huts raised in and around Sy No 325 situated in front of Petitioners house”

2. Heard the learned counsel for the petitioner and the learned Government Pleader for R & B.

3. A counter affidavit deposited by the Deputy Executive Engineer, R & B Sub-Division, Chittoor, is filed and paragraph 8 of the said counter affidavit reads as under:

“It is submitted that mere apprehension, petitioners filed the writ petition stated that the Respondents 5 to 7 are trying to encroach the R & B land and obstructing the ingress and egress of the petitioners. But on inspection of the 4<sup>th</sup> respondent and subordinates as on today there is no encroachments and if any encroachments are identified, the 4<sup>th</sup> respondent and his staff immediately will take steps to remove the encroachments and preventing the encroachments”.

4. In view of the averments made in the above paragraph, the writ petition is disposed of, by placing the same on record. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 7.6.2018  
DA



THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.7322 of 2018



7.6.2018

DA