

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.5369 OF 2017

ORDER:

None appears for the petitioner.

This writ petition is filed seeking following relief:-

“ ... to issue Writ of Mandamus declaring the action of the 5th respondent in issuing the Notice alleging that the petitioner is in unauthorised occupation of National Highway land comprised of area 182.65 square meters at 601 KM to 920 KM of National Highway 67 of Nellorepalem Village, Atmakur Mandal and directing her to submit the representation to the 4th respondent and on such representation further directed her to attend on 4.2.2017 before the 3rd respondent and in the meanwhile taking action by evicting the petitioner from her house and hotel situated in Sy.No.117 of Nellorepalem Village, Atmakur Mandal, Sri Potti Sriramulu Nellore District even though the subject land is not belonging to the respondents is arbitrary, unreasonable and without jurisdiction and accordingly set aside the impugned notice issued by the 5th respondent, dated 28.01.2017 and consequently direct the respondents not to evict the petitioner from her house and hotel situated in Sy.No.117 of Nellorepalem Village, Atmakur Mandal, Sri Potti Sriramulu Nellore District and to pass such other orders.”

The learned Government Pleader filed counter affidavit stating that the notice was issued to the petitioner due to oversight only and the same was withdrawn vide Lr.No./W.P.No.5t369 of 2017/NH 67/Dornala-Atmakur Section, dated 03.11.2017.

In view of the same, cause of action does not survive in the writ petition.

The writ petition is accordingly closed. Consequently, miscellaneous petitions, if any pending, in the writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

25.04.2018
pln