

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.17270 OF 2009

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking verbatim the following relief:

“... to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the respondents 1 to 3 more particularly, 2nd respondent herein, in acting upon the representation made by the petitioner dated 13.7.2009, as per the directions of the Joint Collector, Chittoor, for conducting an enquiry by taking measurements of the petitioner's site (D.No.5-39) and the site belonging to the 4th respondent (D.No.5-40), situated in Bhajanagudi Veedhi, Renigunta Village, Renigunta Mandal, Chittoor District to determine the alleged encroachments or deviations, if any, as illegal, arbitrary, and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 to 3, more particularly, 2nd respondent herein, to conduct enquiry by taking actual measurements of the above sites for determination of the alleged encroachments and deviations and pass such other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of the learned counsel for the petitioner and of the learned Government Pleader appearing for respondents 1 and 2.

3. Learned counsel for the petitioner, having placed on record copies of the judgment & decree, dated 30.07.2012, rendered in A.S.No.34 of 2008 on the file of the Court of learned IV Additional District Judge, Tirupati, and the judgment, dated 14.02.2013, rendered in S.A.No.1341 of 2012 on the file of this Court, would submit that in view of the success of the writ petitioner in the afore-stated civil proceedings, there is no necessity now for measurement of the properties as sought for in the

Writ Petition and hence, recording the submission, as regards the disposal of the first appeal and the second appeal aforementioned, this Writ Petition may be disposed of.

4. Having regard to the submissions and in view of the judgments afore-stated, copies of which are placed on record, and as no further orders are necessary, the Writ Petition is accordingly disposed of.

There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

October 10, 2018
MD



M. SEETHARAMA MURTI, J