

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.16198 of 2018

ORDER:

The present Writ Petition is filed for 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 respondent Corporation in taking steps to remove the wall constructed on the public road and restricting ingress and egress of the petitioner and the locality people, inspite of the repeated visits followed by written representation, dated 19.03.2018, as being illegal, arbitrary, unjust and unconstitutional and consequently direct the respondent-Corporation to remove the wall constructed illegally and highhanded in the middle of the road leading from Dasari Gedda towards Cambridge School at Gavarapalem village, Anakapalli Mandal, Visakhapatnam District, and”

Counter affidavit deposed by the Assistant City Planner, GVMC, Anakapalle Zone-R.3 is filed on behalf of the respondent-Corporation and para 6 of the said counter affidavit reads as under:-

“It is submitted that pending Writ Petition, the petitioner has also made another representation, dated 26.05.2018, to the respondent-Corporation stating that he would hand over the disputed site to the respondent-Corporation by executing the registered gift deed for laying a road and pipe line. It is submitted that the respondent-Corporation had issued an endorsement, dated 06.08.2018, informing that the petitioner did not show the presented disputed site as road in his regularization plan as well as Building approved plan and if the petitioner handover the said site to the

respondent-Corporation by way of registered gift deed after removing the encroachments the respondent-Corporation would take necessary steps for laying the road.”

Having regard to the averments in para 6 of the counter affidavit, as extracted supra, this Court deems it appropriate, to dispose of the Writ Petition, by placing on record the above said averments.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. No order as to costs.

Date:16.08.2018
Smr

JUSTICE A.V.SESHA SAI

