

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.21023 OF 2018

ORDER:

Heard learned counsel for petitioner and the Assistant Government Pleader for Revenue.

The petitioner prays for the following relief:

“...Writ of Mandamus declaring the inaction of the 2nd to 5th respondents against the notice demand Dt. 11-06-2018 and not protecting petitioner's right to use the public road by removing the unauthorised structures raised in front of Brahmamgari Temple on Government land and Road, Kovuru Village & Gram Panchayat, Kandukuru Mandal, Prakasam Dist. A.P. is illegal, arbitrary and violative of fundamental rights guaranteed by the Constitution of India and principles of natural justice and consequently directing respondents 2 and 4 to remove the unauthorized structures raised in front of Brahmamgari Temple on Government land and Road, Kovuru Village & Gram Panchayat, Kandukuru Mandal, Prakasam Dist. A.P...”

The case of petitioner is that the 6th respondent along with his followers is proposing to install a statue on the Government land without permission by blocking the public usage road and the same was complained to respondents 3 and 5 through notice dated 11.06.2018, but no action has been taken. Hence, the writ petition.

I have perused the record. Having regard to the facts and circumstances of the case, this Court is of the view that the relief sought for by the petitioner cannot be considered under Article 226 of the Constitution of India. However, the petitioner is at liberty to work out remedy by filing suit if he is so advised.

The writ petition is dismissed accordingly. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

Date:24.07.2018
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