

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION .NO. 9046 OF 2017

ORDER:

Heard the learned counsel for the petitioner and learned counsel for respondents 2 and 3. In spite of service of notice on the 4th respondent, none appeared.

This Writ Petition is filed challenging the action of the respondents 2 and 3 in not initiating any action in restoring the path way of 50 feet to the petitioner, encroached by the 4th respondent, pursuant to the orders passed by the I.Additional Senior Civil Judge, Visakhapatnam in I.A.No.81 of 2016 in O.S.No.90 of 2016 on 21.9.2016.

Learned counsel for the petitioner fairly submitted that the issue relating to the path way is subject matter of O.S.No.90 of 2016.

If there is any violation of the orders passed by the Civil Court in the said suit, it is for the petitioner to take appropriate action in the pending suit. Hence, no relief can be granted in the present Writ Petition. However, this order will not prevent the respondents 2 and 3 from taking action against any unauthorized encroachment in accordance with law.

Writ Petition is accordingly, disposed of.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

A. RAMALINGESWARA RAO,J

Date: 23.4.2018

KPM

