

HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION NO.28920 OF 2018

ORDER :

This Writ Petition is filed under Article 226 of the Constitution of India seeking mandamus to declare the action of the action of the second respondent authorities in not removing the un-authorized construction of sheds made by the third respondent on the road in R.S.No. 366/7 of Amalapuram Town, East Godavari district towards eastern side of the petitioner's property as illegal, arbitrary, violative of Article 14 and 300-A of the Constitution of India and contrary to the provisions contained in A.P. Municipalities Act, 1965 and consequently to direct the second respondent to remove the un-authorised construction made by the third respondent and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard Sri Y. Sudhakar, learned counsel for the petitioner as well as the learned Government Pleader for Municipal Administration and Urban Development appearing for the respondents 1 and 2.

3. It is the submission of the learned standing counsel for the respondents 1 and 2 that pending writ petition, the second respondent-municipality issued notice to the petitioner as well as

un-official respondent/third respondent for necessary enquiry in the matter and after holding enquiry, final orders will be passed.

4. Recording the said submission, the writ petition is accordingly disposed of at the stage of admission. There shall be no order as to costs.

5. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V. SETHA SAI



17-09-2018
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