

**HONOURABLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION NO. 33119 OF 2018**

**ORDER :**

This Writ Petition is filed invoking the inherent jurisdiction of this Court under Article 226 of the Constitution of India seeking mandamus to declare the action of the respondents 2 and 3 in not taking action upon the representation dated 07/9/2018 made by the petitioner to stop illegal construction being made by the fifth respondent in the site belonging to the petitioner in an extent of Ac:0-23 cents in survey No. 182/3, Ikya Nagar, Perala, Chirala, Prakasam district, without any right, title and possession, as illegal, arbitrary, violative of the provisions of A.P. Municipalities Act and the Rules made there-under and consequently to direct the fifth respondent to stop illegal construction being made contrary to Section 209, 210, 211 of A.P. Municipalities Act and to pass such other suitable orders in the interest of justice.

2. Heard Sri P. Prabhakara Rao, learned counsel for the petitioner and the learned Government Pleader for Municipal Administration and Urban Development [AP] representing the respondents 1 to 3 as well and the learned Government Pleader for Home [AP] for respondent No.4.

3. Sri Nimmagadda Venkateshwarlu, learned Standing Counsel for the Respondent-Corporation submits that on 11/9/2018, the Respondent-Municipality issued a provisional notice to the fifth respondent and further action will be taken strictly in accordance with law. The said statement is placed on record.

4. Accordingly, without going into the merits, this Court deems it appropriate to dispose of the writ petition directing the respondent/municipality to take further action strictly in accordance with law, preferably within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

5. With the above direction, the writ petition is disposed of at the stage of admission. However, there shall be no order as to costs.

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

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*JUSTICE A.V. SETHA SAI*

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