

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 33561 of 2018

ORDER:

1) The present writ petition came to be filed seeking the following relief:

“issuance of writ of mandamus declaring the action of the respondents 2 to 5 in not disposing the representation made by the petitioners dated 20.08.2018, to take action against 6th respondent and to stop illegal construction of the compound wall obstructing 16 feet road at Rajupeta Colony, Yatapaka Village and Mandal, East Godavari District, as illegal, arbitrary and against natural justice.”

2) The grievance of the petitioners appears to be that the 6th respondent herein constructed a compound wall on the public road, thereby causing inconvenience to the public.

3) The learned Standing Counsel appearing for the fifth respondent would submit that a notice dated 23.04.2018 was issued to the 6th respondent asking him to demolish the compound wall. Without giving any reply to the said notice, he said to have approached the civil Court and filed O.S.No.66 of 2017 on the file of the Sub-Divisional Magistrate, Mobile Court, Rampachodavaram. In the said suit, I.A.No.50 of 2018 came to be filed seeking injunction. By an order dated 27.04.2018, the Sub-Divisional Magistrate is said to have granted temporary injunction till 23.06.2018, which is being extended from time to time. Since the

civil Court is ceased of the matter, the question of directing the 6th respondent to remove the wall would not arise.

4) Having regard to the above, the request of the petitioners cannot be considered. However, the petitioners are always at liberty to avail the remedies available under law.

5) Accordingly, the Writ Petition is disposed of. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

26.09.2018
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JUSTICE C. PRAVEEN KUMAR

