

THE HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No. 25810 OF 2012

ORDER:

This writ petition is filed to declare the inaction of respondent No.1 in taking steps to remove the structure raised on the road existing on the eastern side of the petitioner's premises bearing No.19-3-5C together with land covered by Survey No.3/2A3 (T.S.No.3), situated at Renigunta Road, Ward No.19, Tirupathi Urban Mandal, Tirupathi as illegal.

The case of the petitioner is that the petitioner filed W.P.No.16007 of 2011 to declare the inaction on the part of the 1st respondent in removing the unauthorised construction made by the unofficial respondents as illegal and arbitrary; the said writ petition was disposed of on 14.06.2011 directing the 1st respondent to consider the petitioner's representation dated 27.04.2011 and pass appropriate orders therein after giving opportunity to respondents 3 to 6; inspite of that direction, no action has been taken by the 1st respondent.

Counter affidavit has been filed by the 1st respondent denying the allegations made in the writ affidavit.

Even though notice was ordered on 22.08.2012, it was not served on unofficial respondents and the notices were returned with an endorsement 'addressee not residing there'.

In view of the facts and circumstances of the case, the writ petition is disposed of giving liberty to the petitioner to file fresh

representation within two weeks from today to the 1st respondent and on filing such representation the 1st respondent is directed to consider the same and pass appropriate orders thereon in accordance with law, within a period of six weeks therefrom after giving opportunity of hearing to the unofficial respondents. No costs.

Pending miscellaneous petitions, if any, shall stand dismissed.

10-12-2018
kvrm

KONGARA VIJAYA LAKSHMI, J.

