

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.40241 of 2018

ORDER:

- 1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the inaction of respondent Nos.2 to 6 against respondent Nos.8 to 12 and allowing the illegal construction, without obtaining any valid permissions, more so in the Government grave yard land, as illegal and arbitrary.
- 2) The grievance of the petitioners is that the unofficial respondents have encroached into the graveyard land and are making constructions therein.
- 3) Learned Standing Counsel on instructions would submit that on 08.11.2018, order under Section 452(2) of the H.M.C.Act came to be passed, which was said to have been served on 05.12.2018.
- 4) Since the authorities have initiated action, it may not be proper for this Court to pass any order on the merits of the case.
- 5) Hence, the Writ Petition is disposed of directing the Municipal Corporation, which has initiated the action, to complete the said process, in accordance with law, as early as possible, preferably within a period of two to four weeks from the date of receipt of a copy of this order, after hearing all concerned. No costs.
- 6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR