

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

W.P.No.45952 of 2018

Order:

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

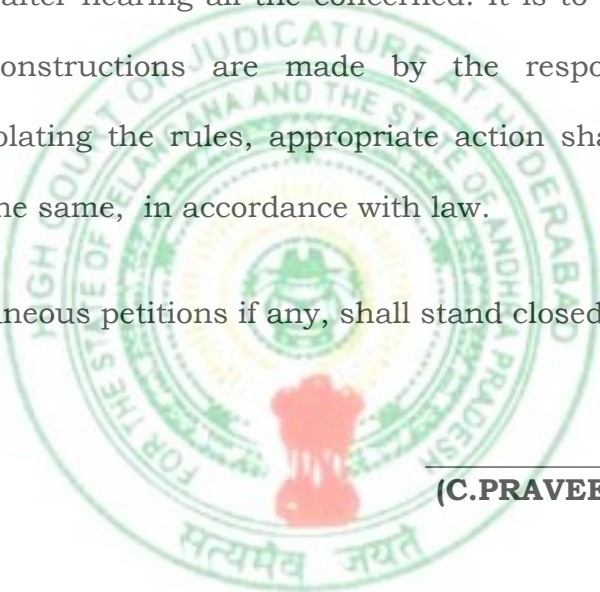
“to issue a writ, order or direction, particularly one in the nature of writ of mandamus, declaring the illegal activities of 5th and 6th respondents in making illegal construction by encroaching the public road notified in the VUDA Master plan without obtaining prior approval from the 2nd respondent as illegal, arbitrary and contrary to the provisions of Municipal Laws and also violative of Article 21 of Constitution of India and consequently declare the inaction of the 2nd respondent in not considering the representation given by the petitioner dated 06.12.2018, as illegal, arbitrary and consequently direct the 2nd respondent to demolish the encroached illegal construction immediately in the interest of public at large consequently direct the 2nd respondent to consider the representation dated 06.12.2018 submitted by the petitioner”.

2. Though various grounds are raised, the learned counsel for the petitioner would submit that respondent Nos.5 and 6 are proceeding with the construction, without proper approval for making construction on the premises bearing Town Survey No.1227 in Door No.15-5-46, Old Edward Hospital, Opp. Sri Pydithallamma temple, M.G. Road, Vizianagaram. He submitted that he made a representation on 06.12.2018 to the 2nd respondent, bringing to his notice about the illegal construction being made by the unofficial respondents, but till date, no action has been initiated.

3. There is no representation for the respondents.

4. Having regard to the facts and circumstances of the case, the writ petition is disposed of, directing the 2nd respondent to deal with the representation of the petitioner dated 06.12.2018 in accordance with law, with regard to the illegal construction made by the unofficial respondents on the public road notified in VUDA, without proper approval, within a period of two weeks from the date of receipt of copy of this order, after hearing all the concerned. It is to be noted that if any illegal constructions are made by the respondents in the meanwhile violating the rules, appropriate action shall be taken for demolishing the same, in accordance with law.

5. Miscellaneous petitions if any, shall stand closed.



(C.PRAVEEN KUMAR, J)

Date:26.12.2018

msb