

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 9869 OF 2019

ORDER

This petition is filed for a writ of *Mandamus* declaring the action of the 1st respondent in not responding to various representations of the petitioner, last made on 20.03.2019, as arbitrary and illegal, and for a consequential direction to the 1st respondent to dispose of the said representation of the petitioner.

2. The case of the petitioner-Welfare Association, is that the 2nd respondent is the builder of the petitioner's apartment complex having 25 flats in all; that the 2nd respondent, initially, while selling the flats to various buyers, who are all the members of the petitioner-Welfare Association, had shown the space in the cellar as parking, but, later the 2nd respondent had started constructing the shops in the cellar area and rented them to various people and thereby depriving the right of parking area of the purchasers; and that construction of the said shops is causing obstruction to the free movement of the vehicles in the cellar area. It is also stated that the petitioner-Welfare Association approached the 1st respondent for demolition of these illegal structures and also submitted several representation of which, the representation made on 20.03.2019, is the latest one. But, the 1st respondent has not taken any action on the said representations. Aggrieved by the same, present writ petition is filed.

3. Heard both sides.

4. Having regard to the facts and circumstances of the case, the 1st respondent-Mancherial Municipality, is directed to consider the representation of the petitioner dated 20.03.2019, and pass appropriate orders, in accordance with law.

5. Accordingly, the writ petition is disposed of. No order as to costs.

6. As a sequel thereto, miscellaneous applications if any pending, shall stand closed.

01.05.2019
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CHALLA KODANDA RAM, J

