

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.17475 of 2019

ORDER:

This writ petition is filed seeking *Mandamus* declaring inaction of respondent No.5 in conducting inspection as per the directions given by respondent Nos.3 and 4 regarding illegal mining activity of respondent No.6, as illegal, arbitrary and unconstitutional, and consequently sought a direction to respondent No.5 to conduct inspection and report compliance.

It is the allegation of the petitioner that respondent No.6 is encroaching into the land of the petitioner company beyond the area which was allotted to it and thereby causing inconvenience to the petitioner.

Learned counsel for the petitioner submits that though the petitioner made a complaint to the competent authorities i.e., respondent Nos.3 and 4 with regard to the encroachment made by respondent No.6 into its business premises in Sy.No.55/1, situated at Rampur Village, Rebenna Mandal, Kumuram Bheem Asifabad District, and respondent No.3 – District Collector, Kumuram Bheem Asifabad District, directed respondent No.5 – Tahsildar, Rebenna Mandal, to take appropriate action by conducting inspection, so far no action is taken by respondent No.5.

Having regard to the nature of the allegation made that respondent No.6 is trespassing into the land of the petitioner Unit, appropriate remedy for the petitioner is to seek injunction against respondent No.6 for trespassing into its land.

In view of the above, this writ petition is closed, leaving it open to the petitioner to workout its remedy against respondent No.6 before the Civil Court in accordance with law. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

16.08.2019.
Msr

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