

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

W.P.No.26534 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“To issue a writ, or order, more particularly in the nature of Writ of Mandamus or any other appropriate writ declaring action of the respondent No.1 to 3 in removing the illegal construction constructed by Respondent No.4 and 5 in land bearing Sy.No.796 adjacent to NH No.63 opposite to Hanuman Dhaba, as illegal, arbitrary and consequently direct Respondent Nos.1 to 3 to remove the illegal construction constructed by Respondent Nos.4 and 5 in land bearing Sy.No.796 adjacent to NH No.63 opposite to Hanuman Dhaba, in the interest of justice”.

2. Heard Sri Kondadi Ajay Kumar, learned counsel appearing for petitioner, learned Government Pleader for Municipal Administration & Urban Development Department appearing for Respondent 1 and 2 and Mr.N.Praveen Kumar, Standing Counsel for Respondent No.3-Municipality and perused the material available on record.

3. It is the grievance of the petitioner that despite his best efforts in filing complaints before the 3rd respondent against the unauthorized construction of Respondents 4 and 5 in Sy.No.796 adjacent to NH 63 opposite to Hanuman Dhaba, no action is being initiated by 3rd respondent. Hence this writ petition.

4. Having regard to the facts and circumstances of the case and without expressing any opinion on the merits, the Writ Petition is disposed of directing the 3rd respondent to cause enquiry into the

allegations made by the petitioner and after perusing the records available and after affording due opportunity to both the parties, appropriate action shall be taken in the matter, in accordance with law. The 3rd respondent shall complete this exercise as expeditiously as possible preferably by the end of February, 2020. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

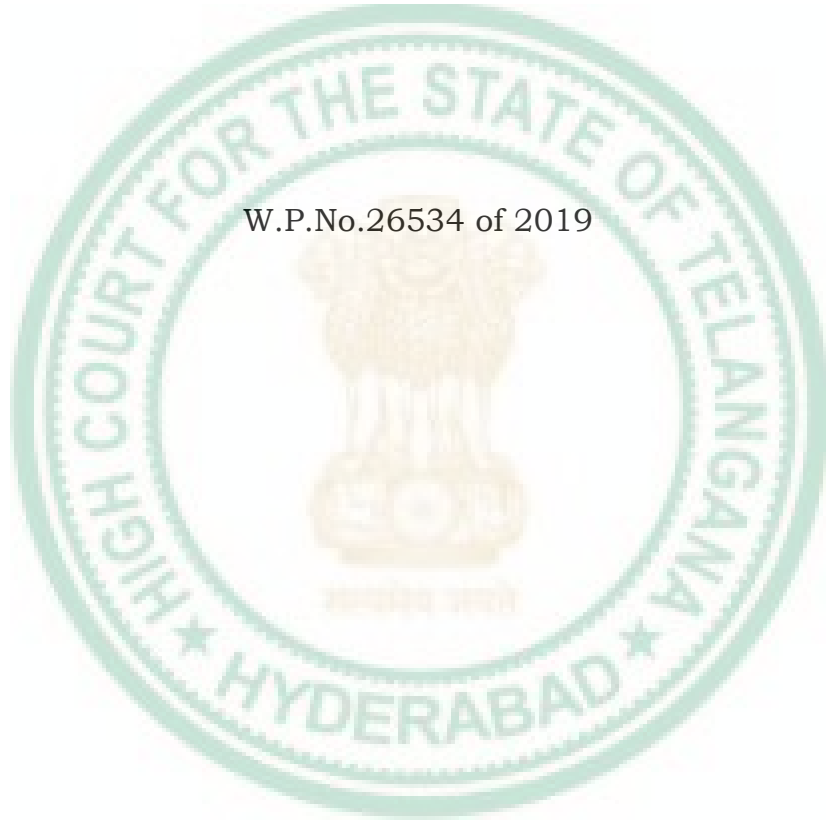
T. AMARNATH GOUD, J

Date: 16.12.2019
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