

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.24962 of 2022

ORDER:

This Writ Petition is filed seeking a *mandamus* to declare the action of respondent Nos.1 to 5 in not taking any action on the petitioner written complaints in respect of illegal and unauthorized construction of the building in violation of building rules and also in total deviation of setback norms by respondent No.6 and 7 in constructing a house in Plot bearing Survey No.598/E2, admeasuring an extent of 116 sq. yards, situated at Ram Nagar, Bhongir, Yadadri Bhuvanagiri District, as illegal and arbitrary.

2. Sri Pulimamidi Shashidhar Reddy, learned counsel for the petitioner, submits that the petitioner has approached the official respondents by giving several complaints and the latest being on 04.05.2022, wherein it is stated that the unofficial respondents have encroached the public road, which leads to the petitioner's property, and raised structures thereon. He submits that pursuant to the complaint of the petitioner, a show-cause notice is given on 03.12.2021 and reminder notice on 24.12.2021. Thereafter, no action has been taken. He submits that though the unofficial respondents have not given any explanation to

the said show-cause notice, the respondent Municipality has to take action.

3. Sri N.Praveen Kumar, learned Standing Counsel, on instructions, submits that after receiving the notice, the official respondents have approached the civil Court. He submits that however, no interim orders are passed by the civil Court against the respondent Municipality. He submits that now the respondent Municipality will issue a fresh notice and take action.

4. Recording the submission of learned Standing Counsel, the Writ Petition is disposed of directing the respondent Municipality to take appropriate action on the encroachment made on the public road by the unofficial respondents, within a period of six weeks from the date of receipt of a copy of this order, in accordance with law. Before taking any action, the affective parties shall be put on notice. No order as to costs.

Miscellaneous applications, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

17th June 2022

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