

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.19468 OF 2023

ORDER:

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

“...to issue a Writ or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not taking any steps to stop the unauthorized construction of compound wall around the temple by occupying the Public road getting used for ingress and egress by the petitioner along with other villagers in Sy.No.196 of Kommalapudi Village, Manubolu Mandal, SPSR Nellore District made by the respondents No.6 to 9 in spite of representation dated 31.07.2023 of the petitioner as illegal, arbitrary, unconstitutional against principles of natural justice and contrary to the Rights guaranteed under Article 14, 21 and 300-A of Constitution of India and consequently direct the official respondents to take appropriate steps to stop the unauthorized construction of compound wall around the temple by occupying the Public road in Sy.No.196 of Kommalapudi Village, Manubolu Mandal, SPSR Nellore District and to pass such pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case....”

2. Heard Sri Bathala Ramesh, learned counsel for the petitioner and learned Assistant Government for Panchayat Raj.

3. When the matter is taken up for consideration today, the learned Standing Counsel for Grama Panchayat Raj, submitted that, notices have already been issued to the unofficial respondents and

proceeding in accordance with law and hence, the Writ Petition may be disposed of.

4. To the said submission, learned counsel for the petitioner reported no objection and submitted that, the same may be reviewed while disposing the Writ Petition.

5. Since, no positive orders are being passed in this Writ Petition, this Court feels it unnecessary to order notices to the unofficial respondents and to keep the matter pending till counters are filed.

6. Taking the submissions of both the learned counsel into consideration, as the respondent authorities have submitted that, they have issued notices to the unofficial respondents and are proceeding in accordance with law, there is no purpose in keeping the Writ Petition pending and inclined to dispose of with the following direction:

“The respondent – authorities are directed to take steps if they found that the unofficial respondents are making unauthorised constructions by following due procedure contemplated under law by providing an opportunity of being heard and pass appropriate orders and communicate the same to the parties concerned in accordance with law”.

7. Accordingly, the Writ Petition is disposed of.

There shall be no orders as to costs.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

10th August, 2023

DSB/SCH