

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.14219 OF 2011

ORDER

This writ petition is filed challenging the proceedings in U.C.No.9/2011 by which the petitioner was issued confirmation notice under Section 228(3)/217(3) of the A.P. Municipalities Act, 1965 and under Section 42(1) and 43(1) of A.P. Urban Development Act, 1975.

The case of the petitioner is that though the impugned proceedings show that the notice was issued on 21.04.2011 and served on the petitioner on 26.04.2011, but in fact the said show cause notice was not all served on the petitioner. As such, the impugned proceedings are in violation of principles of natural justice.

Counter is filed by the 2nd respondent stating that though the petitioner was issued notice on 21.04.2011 and the said notice was served on him on 26.04.2011, no explanation has been filed by the petitioner with regard to unauthorised constructions made in the first floor. Therefore the impugned proceedings have been initiated against the petitioner.

Heard the learned counsel for the petitioner and Smt K.Manideepika for respondent No.1 and Sri Nimmagadda Venkateshwarlu for respondent No.2.

Learned counsel for the petitioner submits that the regularisation scheme is still in force and petitioner is willing to make application under the said scheme for the unauthorised constructions made by him in deviation of the approved plan.

In view of the aforesaid submission, it is open for the petitioner to make an application under the regularisation scheme within a period of four (4) weeks from today. On such application being filed, the respondent shall consider the same and pass appropriate orders in accordance with law. Till such time, *status-quo* obtaining as on today shall be maintained by both the parties. However, if the petitioner fails

to make an application within the aforesaid period, it is open for the respondents to take appropriate action as per law.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER REDDY,J

Date: 24.08.2015

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