

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

Writ Petition No. 3023 of 2011

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ORDER :

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It is the case of the petitioner that he is the owner and possessor of land to an extent of 183.33 sq.yds, having purchased through registered sale deed dated 11.10.2010 and obtained construction permission from the competent authority. When the petitioner was making construction as per the approved plan, the respondent authorities are trying to interfere with the same. Aggrieved by the same, present writ petition is filed.

2. Heard Sri Polisetti Raadha Krishna, learned counsel for the petitioner and Sri N.Praveen Kumar, learned Standing Counsel for the first respondent.

3. While admitting the writ petition on 11.02.2011, this Court granted interim order in W.P.M.P.No.3757 of 2011 as follows:

“There shall be interim direction as prayed for, subject to the condition that the petitioner shall not deviate from the sanctioned plan, while making construction.”

Learned counsel for the petitioner states that construction has been completed as per the sanctioned plan. He further states that the 1st respondent issued notice under Section 228 (1) of the Andhra Pradesh Municipalities Act, 1965 (for brevity ‘the Act of 1965’) alleging certain deviations in the construction made by the petitioner at the subject premises. Aggrieved by the same, petitioner filed W.P.No.5001 of 2011.

Since it is stated that the construction has already been completed by the petitioner as per sanctioned plan, the interim order dated 11.02.2011 worked out itself. When once the petitioner has challenged the notice issued by the first respondent under Section 228 (1) of the Act of 1965 by way of separate writ petition, cause in the writ petition does not survive for consideration.

Accordingly, this writ petition is disposed of in terms of the interim order dated

11.02.2011 in W.P.M.P.No.3757 of 2011.

There shall be no order as to costs. As a sequel thereto, miscellaneous applications, if any pending in this Writ Petition, shall stand dismissed.

A.RAJASHEKER REDDY, J

06.10.2015.

KVS

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