

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.13156 of 2015

Dated : 12.06.2015

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Between:

Musunuri Gangabhavani,
W/o.Late Phani Kumar,
Aged about 55 yrs, Hindu, Housewife,
R/o.H.No.32-12-11, Nalljarlavari Street,
Tanuku-534211

.. Petitioner

And

The State of Andhra Pradesh,
Rep., by its Secretary,
Municipal Administration,
Secretariat, Hyderabad & 2 others

.. Respondents

This Court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.13156 of 2015

ORDER :

The petitioner claims to be Resident of house bearing D.No.32-12-11, Nallajarlavari Street, Tanuku. The grievance of the petitioner is that adjacent to the petitioner's house, a high rise building is coming up in the name of Sai Lakshmi Complex. According to the petitioner the construction of such building is in violation of A.P. Municipalities Act, and the Rules made there under, regulations and norms prescribed for construction of multistoried building. The petitioner further alleges that even though, it is a residential area, the builder is trying to construct a commercial complex which is again illegal. Several other allegations are made in the representation submitted by the petitioner to the Commissioner, Tanuku Municipality

on 07.04.2015 followed by 15.04.2015. Alleging that no action is taken on the representations given by the petitioner, and on the contrary, the construction is in progress, this writ petition is instituted.

2. On instructions, learned Standing Counsel, submits that initially Municipality has granted permission only for G+2 residential complex and having noticed that the builder was constructing the 3rd floor, a notice was issued on 31.12.2014 and since no response was given by the 3rd respondent, confirmation notice was issued on 12.01.2015 and the Municipality is taking active steps to take penal consequences. He further submits that construction is stopped and no further construction is taking place.

3. Having regard to the said submission, the Writ Petition is disposed of without expressing any opinion on merits directing the respondent-Municipality to pass orders on the representations submitted by the petitioner on 07.04.2015 and 15.04.2015. In the event of finding merit in the complaint given by the petitioner, the respondent-Municipality shall cause notice on the 3rd respondent and afford opportunity of hearing to him and also afford an opportunity of hearing to the petitioner and pass appropriate orders as warranted by law, within a period of four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

12th June, 2015

Rds