

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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WRIT PETITION No.21263 OF 2009

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ORDER:

The present Writ Petition is filed seeking issuance of writ of *mandamus* declaring the action of the respondents in interfering with the construction activities of the house and trying to demolish the structure existing on the house site, such as basement and compound wall of the petitioner to an extent of 75 square yards, D.No.7-21/2, situated at Survey No.110 of Vepagunta village, Pendurthy Mandal, Visakhapatnam District without following due process of law as being illegal and arbitrary and consequently direct the respondents not to interfere with the construction activities.

2. By an Order, dated 06.10.2009, this Court while issuing *Rule Nisi*, directed the respondents not to demolish or interfere with the construction activities of the petitioner on the site situated at D.No.7-21/2, in Sy.No.110 part of Vepagunta village of Pendurthy Mandal, Visakhapatnam District, without following due process of law.

3. Today when the matter is taken up for hearing, Sri Laxmi Narayana Reddy, learned Standing Counsel for Greater Municipal Corporation of Visakhapatnam submitted that if any action is taken by the respondent authorities, the same will be done in accordance with law by issuing a notice under Section 452 of the Municipal Corporation Act, 1955.

4. Recording the submission made by the learned Standing Counsel and without going into the merits of the case, the Writ Petition is disposed of, directing the respondent authorities to follow due process of law before taking any coercive steps in respect of property in dispute in the writ petition. Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall

stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:25.11.2015

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