

HON'BLE SRI JUSTICE K.C. BHANU

WRIT PETITION No. 14482 of 2015

ORDER:

The petitioner has filed the writ petition with the prayer as follows:

“... to issue a writ, order or more particularly in the nature of the writ of Mandamus declaring the action of the respondents in trying to demolish the petitioner's house property bearing D.No.21-4-33/A, in T.S.No.109 & 111, Old Ward No.13, Block No.1, Sangadigunta, Guntur Town, Guntur, without due process of law, as illegal, arbitrary, violation of principles of natural justice and in violation of Articles 21 and 300-A of the Constitution of India.”

Heard both sides.

Learned counsel for the petitioner stated that in spite of obtaining necessary plan from the competent authority to make constructions, the respondents are trying to interfere with the same.

There cannot be any dispute that the petitioner has to construct the building in accordance with the sanctioned plan. He cannot deviate in making construction from the sanctioned plan. Therefore, the respondents are directed not to interfere with the construction of the petitioner. However, the respondents are at liberty to demolish the structures, if any, constructed in violation of the sanctioned plan, after giving notice and opportunity of hearing to the petitioner.

Accordingly, the writ petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

K.C. BHANU, J

Date: 14.05.2015

ES/MSR