

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WP.No.24098 of 2012

Between:

L.Susheela

... Petitioners/Appellant (s)

and

The State of Andhra Pradesh, rep. by its
Principal Secretary and three others.

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... Respondent (s)

DATE OF JUDGMENT PRONOUNCED: 28.07.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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| <u>1</u> | <u>Whether Reporters of Local newspapers</u>
<u>may be allowed to see the Judgments?</u> | <u>Yes/No</u> |
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| <u>2</u> | <u>Whether the copies of judgment may be</u>
<u>marked to Law Reports/Journals</u> | <u>Yes/No</u> |
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| <u>3</u> | <u>Whether Their Ladyship/Lordship wish to see</u>
<u>the fair copy of the Judgment?</u> | <u>Yes/No</u> |

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THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.24098 OF 2012

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ORDER:

The grievance of the petitioner is that the 4th respondent who is the neighbour of the petitioner has made construction in violation of the approved plan granted by the 2nd respondent, without maintaining any set backs, and that the petitioner has given representations dated

26.12.2011 and 08.06.2012 to the 2nd respondent to stop the illegal construction. As no action has been taken by the respondents, present writ petition is filed.

The 2nd respondent filed counter affidavit admitting that the petitioner gave representations on 26.12.2011 and 08.06.2012 to the 2nd respondent to stop the illegal construction being made by the 4th respondent. It is stated that after receiving the representations, the site has been verified immediately with reference to the sanctioned plan and observed minor variations in the construction and that this respondent instructed the 4th respondent to rectify the construction and also issued a provisional notice under Section 228(I & II) and 217 of the A.P.Municipalities Act, 1965 vide office Notice dated 03.08.2012 and also issued confirmation notice under Section 228(3) 217 of the Act, to remove the deviations made against the sanctioned plan and that further action being initiated as per law in force.

The 4th respondent also filed counter affidavit denying the averments in the writ petition.

Heard learned counsel for the petitioner as well as Sri N.Praveen Kumar, learned Standing Counsel for respondents 2 and 3.

This Court on 07.09.2012 passed interim order directing the respondents to take appropriate action after giving a notice and opportunity of hearing to both the parties. Since in the counter it is stated that already necessary notices have been issued to the 4th respondent, the grievance of the petitioner stood redressed. Recording the averments in the counter affidavit, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

28.07.2015
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A.RAJASHEKER REDDY, J