

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

WRIT PETITION No. 3527 of 2006

Dt:14.09.2015

Between:

C.S.Rao and another.

... Petitioners

And

Greater Visakhapatnam Municipal Corporation and others.

... Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
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WRIT PETITION No. 3527 of 2006

ORDER: (per the Hon'ble Sri Justice S.V.Bhatt)

Heard learned counsel for the petitioners and learned Standing Counsel for the Municipal Corporation.

The petitioners pray for the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a writ, or order or direction more particularly in the nature of writ of mandamus declaring the action of the respondents in permitting and taking up construction of concrete structures in Ramakrishna Beach and submarine Museum area in Visakhapatnam Municipal Corporation Limits as unconstitutional and consequently declare that such construction cannot be taken up in the beach area and pass such order or other orders as deemed fit in the interest of justice.”

Learned Standing Counsel appearing for the Municipal Corporation submits that the Corporation on its own is envisaging to relocate the subject constructions and the cause in the writ petition does not survive for consideration.

Having regard to the submission of learned Standing Counsel appearing for the statutory authority, the interim order passed by this Court is made as final order in the writ petition, subject to the

condition that if the respondents intend to undertake any construction, they are free to do so in accordance with law and after obtaining permissions from all the authorities. If the petitioners are aggrieved against such grant of permission or any construction activity undertaken against the requirements of law, the petitioners are given liberty to work out the remedies in accordance with law.

With the above observations, the writ petition is disposed of.

Consequently, miscellaneous petitions, if any, also stand disposed of. There shall be no order as to costs.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Dt: 14.09.2015

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