

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos.13400 & 13104 OF 2012

COMMON ORDER

Since the subject matter of these writ petitions is one and same, both are heard together and disposed of by this common order.

The W.P.No.13400 of 2012 is filed stating that the petitioner is the absolute owner and possessor of the open plot admeasuring 736.51 sq.yards in R.S.No.379, near D.No.4-12, situated at Poranki Village and Gram Panchayat, Penamaluru Mandal, Krishna District by virtue of sale deed dated 11.10.2010. The petitioner after obtaining permission from the 2nd respondent vide proceedings dated 19.10.2010 for construction of residential apartments consisting of Ground, First and Second Floors started construction as per the sanctioned plan. While so, one Sri T.Satyanarayana (petitioner in W.P.No.13104 of 2012) gave a complaint on 25.01.2012 to the 2nd respondent stating that the petitioner is constructing the apartments by extending the balcony till his boundary. Basing on the said complaint, the 2nd respondent issued show cause notice on 14.02.2012 and the petitioner submitted his explanation to the same on 28.02.2012. But the respondents without passing any orders bent upon to demolish the petitioner's building. Aggrieved by the same, the present writ petition is filed.

W.P.No.13104 of 2012 is filed by one T. Satyanarayana, aggrieved by the action of the 1st respondent in not taking any action against the illegal constructions made by the 3rd respondent (petitioner in W.P.No.13400 of 2012), pursuant to the directions issued by the 2nd respondent in proceedings dated 23.11.2011.

Heard the learned counsel for the petitioners in both the writ petitions and Smt K.Manideepika, learned Standing counsel for VGTM.

Since the petitioner in W.P.No.13400 of 2012 has already submitted explanation on 28.02.2012 to the show cause notice dated 14.02.2012

issued by the 2nd respondent therein, the 2nd respondent is directed to consider the explanation of the petitioner in W.P.No.13400 of 2012 and thereafter take appropriate action in accordance with law within a period of four weeks from the date of receipt of copy of this order. However, it is open for the petitioner to submit any further explanation within a period of two weeks from today.

With the above direction, the writ petition is disposed of No costs. As a sequel, miscellaneous petitions, pending if any, shall stand closed.

A.RAJASHEKER REDDY, J

03.08.2015

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