

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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WRIT PETITION No.21264 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 trying to demolish the house bearing D.No.1-103 and interfering with the construction activities of the houses in Plot Nos.358 and 362 an extent of 90 square yards respectively situated at Sy.No.18/1A of Laxmipuram village, Pendurthy Mandal, Visakhapatnam District without following due process of law as being illegal and arbitrary and consequently direct the respondents not to demolish or 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 the house bearing D.No.1-103 and not to interfere with the construction activities of the houses in plot Nos.358 and 362 in Sy.No.18/1A of Laxmipuram village, 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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