

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.40664 OF 2016

DATED : 08.12.2016

Between :

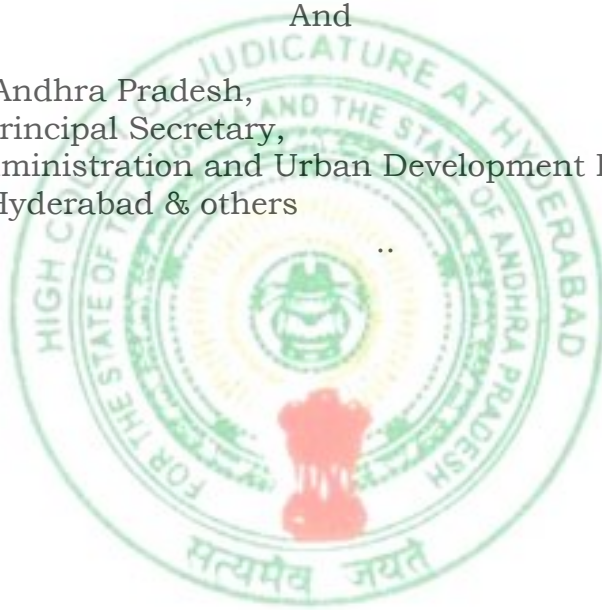
Umamaheswari Gardens & Sunitha Enclave
Flat Owners Welfare Association, Kailashmetta,
Vantagattu, Visakhapatnam, rep., by its
Authorised person Sagi Venkateswara Raju,
S/o.Late Sri S.V.Subba Raju,
Aged about 53 yrs, Occu : Marian Engineer in Electrical
(WILHELMSEN GROUP) R/o.Flat No.2/H,
Umamaheshwari Gardens & Sunitha Enclave,
Kailashmetta, Waltair Uplands, Visakhapatnam – 530 003.

..
Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Municipal Administration and Urban Development Department,
Secretariat, Hyderabad & others

..
Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.40664 OF 2016

ORDER :

Petitioner is Owners Welfare Association of Umamaheshwari Gardens & Sunitha Enclave, Visakhapatnam. This writ petition is filed praying to declare that the 4th respondent is not entitled to obtain regularization orders for the unauthorized construction in respect of the building bearing D.No.10-51-6/3/6 of Kailash Metta at Waltair Ward (Zone-III) of Greater Visakhapatnam Municipal Corporation, contrary to the sanctioned plan issued vide S.P.B.A.No.11794/2001, dt.24.05.2002 and consequently, direct the official respondents not to pass regularization orders on the building permission application made by the 4th respondent dt.20.04.2015 without hearing and finalizing the objections submitted by the petitioner's Association and also adhering to the orders dated 29.04.2015 passed in W.P.No.12393 of 2015.

2. The allegation of the petitioner-Association is that in pursuant to the orders passed by this Court in W.P.No.16152 of 2015 dated 10.06.2016 passed at the instance of 4th respondent, the authorities are considering the request of the 4th respondent for regularizing the unauthorized construction made and granting permission for conversion of 6th floor.

3. When the matter is taken up, learned Standing counsel produced proceedings bearing BA.No.12269/2015/DCP-II/G1 dated 25.07.2015 of the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam (GVMC) and informs the

Court that by the said proceedings, the application submitted by the 4th respondent was rejected and the same has become final.

4. Since the grievance of the petitioner-Association is that the respondent-Municipal Corporation may consider the application for regularization and in view of the decision already taken by the GVMC, rejecting the application for regularization of the 4th respondent, the cause in the writ petition does not survive.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

8th December, 2016
Rds

P.NAVEEN RAO,J

