

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 13354 of 2012

Order:

None appears on either side.

The petitioners state that they are the owners of the land admeasuring 476.66 sq. yards in Plot No.15, Survey No.141/1 (Part), situated at Vepagunta village, Durganagar, Visakhapatnam, having purchased the same under a registered document dated 04.05.2011 for valuable consideration. The petitioners submitted an application before the respondents seeking permission to construct a building consisting of ground + 3 floors and the building permission was granted on 09.01.2012. However, at the instance of the Ex-Corporator of the Municipal Corporation, when their construction activity was being interfered with and in fact when some damage was caused on 28.04.2012, the present Writ Petition was filed.

This Court, by an order dated 03.05.2012, restrained the respondent Municipality from interfering with the construction of the petitioners, if it is in accordance with law. No counter affidavit is filed by the respondents till today.

In the circumstances and in view of the facts stated in the affidavit filed in support of the Writ Petition, the respondents are directed to inspect the premises of the petitioners and if they find any deviation of the constructions contrary to the building plan sanctioned it is open to them to take appropriate action in accordance with law.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs. The Miscellaneous Petitions pending, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 18.10.2016
Nsr

