

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 35317 OF 2016

ORDER:

This writ petition is filed declaring the action of the 2nd respondent in hurling threats and in causing obstruction for the petitioner's construction of ground + two floors as per sanctioned plan in his site of 364.82 sq.metres in Ward No.8, Block No.1, RS/T.S.No.2 RESI, Lakshmipuram 4th line of 2nd respondent-Corporation as arbitrary and illegal.

2. The case of the petitioner is that petitioner's father purchased the property under registered sale deed from one Adusumalli Hanumantha Rao and his wife. The second respondent passed building permit order along with sanction plan for construction of ground + two floors. The then Deputy City Planner of the 2nd respondent by endorsement dated 21.10.2005 stated that there was no encroachment in any manner. While so, on 30.07.2016 the City Planner of the 2nd respondent came to the site of the petitioner and threatened him and his coolies not to proceed with the work. Thereafter also on 23.08.2016, 16.09.2016 and 05.10.2016, the subordinates of the 2nd respondent at the behest of Ravilla Venkateswararao and his associates came to the site of the petitioner and threatened him. Hence the writ petition.

3. In the facts and circumstances of the case, this court deems it appropriate to dispose of the writ petition directing the respondents not to interfere with the petitioner's property without following due process of law, without issuing any notice, without calling for explanation, and without passing appropriate orders in writing.

With the above direction, the Writ Petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

October 20, 2016
LMV

JUSTICE CHALLA KODANDA RAM

