

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WPMP.No.37770 of 2015 in WP.No.33874 of 2014

and

WVMP.No.4022 of 2014 in WP.No.33874 of 2014

and

WP.No.33874 of 2014

COMMON ORDER :

Heard the counsel for petitioners, Sri S. Lakshminarayana Reddy for respondent nos.3 to 5; and Sri S. Srinivas Reddy, counsel for 6th respondent.

2. The grievance of petitioners is that the 6th respondent has constructed stilt, ground plus 1st floor building for residential use, but it is being put to commercial use as a function hall by 6th respondent.

3. In the counter-affidavit filed by 6th respondent, the following undertaking is given :

“(a) That I would use the building bearing Door No.21-205/11, Sy.No.64/1, Kakani Nagar, Butchirajupalem, Near NAD Junction, Visakhapatnam, constructed by me pursuant to the permission accorded by the Corporation in B.A.No.11480/2010/ACP-VI dated 21.08.2010 only for residential purpose; and

(b) That after my application dated 23.07.2015 seeking Regulation / Penalization under the provisions of G.O.Ms.No.128 MA & UD (M.I.) Department dated 22.05.2015 is considered favourably, after obtaining necessary orders as required under Law, I would put the aforesaid building to use, other than residential.”

4. The counsel for petitioners states that if the building is put to residential use by 6th respondent, the petitioners would have no grievance.

5. Therefore, the Writ Petition is disposed of in terms of the said undertaking, and a direction is given to 3rd respondent to lift the seal which the 3rd respondent has put on the said premises to enable the 6th respondent to put it to residential use.

6. In view of the above facts, no order need be passed in WVMP.No.4022 of 2014, and the same is dismissed.

7. Accordingly, the Writ Petition is disposed of with the above directions; and WPMP.No.37770 of 2015 is accordingly ordered. No order as to costs.

8. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 08-09-2016

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