

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.35356 OF 2016

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development (Andhra Pradesh) and Sri Ancha Pandu Ranga Rao, learned Standing Counsel for Respondents 2 and 3

The case of the petitioner is that it is the owner and possessor of RCC building to an extent of 63 Ankanas 504 square yards at Door No. 16-2-547, Sankara Agraharam, Brundavanam, Nellore District. Its grievance is that Respondents 2 and 3 are trying to demolish the structures, without issuing any prior notice. Hence, the present Writ Petition.

Learned counsel appearing for the parties fairly submits that the issue involved in this writ petition is similar to issue in a batch of writ petitions, where under this court by order dated 30.09.2016 passed interim orders in WPMP No.42127 of 2016 in WP No.34149 of 2016 and batch. The operation portion of the order dated 30.09.2016 reads as under:

- “i. issue notices to all persons/firms/companies who are suspected or alleged to have constructed buildings or structures on Nalas or tank beds;
- ii. disclose the material available with the respondent authorities along with such notices that the constructions are in locations warranting demolition;
- iii. give two weeks time from the date of receipt of such notice to the persons/firms/Corporations who are alleged

to have built the said structures or tank beds/nalas to respond to such notices or vacate the said premises; and
iv. then pass a reasoned order why the demolition is justified.”

In the light of the guidelines framed by this Court in the above said order, the respondent-Corporation shall issue notice to the petitioner and call for explanation by providing reasonable time to submit the explanation. After submitting the explanation, the respondent-authorities, shall consider the same and pass appropriate orders and if really there are any violations as per the sanctioned plan, the respondent-corporation may take action in accordance with law. However, no further constructions shall be made by the petitioner without obtaining permission from the GHMC.

Subject to the above, the writ petition is disposed of. No order as to costs.

Consequently, the miscellaneous applications, if any, shall also stand disposed of.

CHALLA KODANDA RAM, J

27th October, 2016

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