

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 20682 of 2016

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Mr.N.Venkateswarlu, learned Standing Counsel for respondent No.2.

The present writ petition is filed under Article 226 of the Constitution of India, with the following prayer:

'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a writ, order or a direction more particularly one in the nature of writ of mandamus declaring the action of respondent No.2 in interfering with the construction work of the petitioner's building situated at D.No.23-50, in an extent of Ac.0.18 ½ cents in Survey No.46-8, 12th Ward, West side of Railway feeder road, Kothapeta, Yelamanchili, even after granting building permission vide permit No.1137/0009/B/YEL/KTA-2016, dated 14.05.2016, without following due process of law as illegal, arbitrary and violative of principles of natural justice and contrary to Article 300-A of the Constitution of India and consequently direct respondent No.2 not to interfere with the construction work of the petitioner's building situated at D.No.23-50, in an extent of Ac.0.18 ½ cents in Survey No.46-8, 12th Ward, West side of Railway feeder road, Kothapeta, Yelamanchili and to pass such other and further order or orders as deemed fit and proper in the circumstances of the case'.

The grievance of the petitioner appears to be that without following due process of law, the respondents are trying to interfere with construction work of the petitioner's building situated in Survey No.46-8, 12th Ward, West side of Railway Feeder road, Kothapeta, Yelamanchili. It is the case of the petitioner that though building permission is obtained, the authorities are interfering with the process of construction.

Learned Standing Counsel opposed the same contending that though building permission was granted, but in view of the complaints received with regard to part of the land where construction is going on,

the authorities were requested to conduct an enquiry and submit a report. He further submits that the petitioner failed to comply with the requirements of Clauses 4 and 7 of the Building Permit Order, which lead to taking steps against the said construction.

In view of the above, the respondents are directed not to take steps or interfere with the construction of building, except following due procedure laid down by law.

With the above direction, the writ petition is disposed of.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

27.06.2016,
vhb