

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.45737 OF 2016

Dated:29.12.2016

Between:

Ponnepalli Venkata Chalapathi,
S/o. Late P. Gonvidaiah, Aged
about 43 years, Occ: Advocate,
R/o.D.No.9733, Gandla Street,
Bahadurpet, Srikalahasti, Chittoor District .. Petitioner

And

Srikalahasti Municipality,
Srikalahasti, Chittoor District,
Rep., by its Commissioner and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.45737 OF 2016****ORDER:**

Heard. With the consent of learned counsel for the parties, the Writ Petition is being disposed of at the stage of admission.

2. The petitioner alleges that his neighbours, the unofficial respondents herein, are undertaking construction without leaving any setbacks as per the norms of the Municipality and without obtaining building permission from the 1st respondent – Municipality. His grievance is that though he made a representation dated 08.12.2016 bringing the said fact to the notice of the authority concerned, no action has been taken so far. Hence, this writ petition.

3. Learned Standing Counsel for the 1st respondent – Municipality, on instructions, submits that the building permission application was made by the unofficial respondents through online portal and necessary permission was granted and they are undertaking construction in accordance with the building permission granted to them. He further submits that the construction is at the stage of digging of foundation pits and raising of pillars and thus there is no truth in the allegation made by the petitioner that the construction is in advance stage and setbacks are not observed.

4. In the light of the submission made by the learned Standing Counsel, the Writ Petition does not survive and the same is liable to be dismissed.

5. The Writ Petition is accordingly dismissed. However, it is made clear that the 1st respondent – Municipality shall ensure that the unofficial respondents shall comply with the building permission norms and do not deviate from the permission granted to them causing hardship to the neighbours. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:29.12.2016

KH

P. NAVEEN RAO, J

