

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.38296 OF 2016

DATED : 08.11.2016

Between :

Bogapurapu Annapurna,
W/o.Venkata Ramana, Aged about 60 yrs,
R/o.Door No.1-49-38/3, Kapu Veedhi,
Near Agri Gold Office, Tagarapuvalasa,
Bheemunipatnam Mandal,
Visakhapatnam District & another

..

Petitioners

And

Greater Visakhapatnam Municipal Corporation,
Rep., by its Commissioner, Visakhapatnam & another.

..

Respondents



This court made the following :

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ORDER :

Apprehending that the respondent-Corporation is threatening to demolish the petitioners property bearing Door No.1-49-38/3, admeasuring an extent of 167.5 Sq yards in Old Sy.No.10/5, New Sy.No.5/2, Kapu Veedhi, Near Agri Gold Office, Tagarapuvalasa, Bheemunipatnam Mandal, Visakhapatnam, petitioners filed this writ petition.

2. Learned Standing Counsel, on instructions, would submit that this building is constructed in a very narrow road and by encroaching on to the public road, the compound wall was constructed. The officials of the Corporation have visited the place to verify said construction. So far no action is taken against the petitioners and it is only an apprehension, and that the Corporation would follow due process before taking any coercive action against the petitioners.

3. Admittedly, there is no written order passed against the petitioners proposing to demolish the property nor a notice was issued. On the contrary, under the Building Regularization Scheme, orders are passed on 29.10.2016 granting regularization to the petitioners. Therefore, *prima-facie*, the question of demolition of building would not arise. However, I am not going into this issue in view of the submissions made by learned Standing counsel.

4. In view of the categorical undertaking given by the respondent-Corporation through Standing counsel that the Corporation would follow due process before taking up any

coercive action against the petitioners, no further orders are required in the writ petition.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

8th November, 2016
Rds

P.NAVEEN RAO,J

