

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.3280 of 2016

Date:04.02.2016

Between:

Chode Kanaka Mahalakshmi,
W/o Guntupalli Murali Mohan
and another.

..... Petitioners

And:

The State of A.P., repled., by its Principal
Secretary, Municipal Admn. & Urban Development
Department, Hyderabad and four others.

.....Respondents

Counsel for the Petitioners: Mr. D.Ramakrishna

Counsel for Respondent No.1: GP for Municipal Admn. (AP)

The Court made the following:

ORDER:

The petitioners, who are the residents of Sri Sai Sowdha Apartments, Opposite to Vikas School, Prasadampadu, Vijayawada, filed this Writ Petition feeling aggrieved by the purported inaction of respondent No.2 in considering their objections to the application stated to have been made by respondent Nos.4 and 5 for regularisation of the illegal constructions made by them.

From the averments of the petitioners, it appears

that as against the sanctioned plan of ground + two floors, respondent Nos.4 and 5 have constructed a third floor and also a pent house in the fourth floor without any permission and taking undue advantage of the recently introduced Building Regularisation Scheme, they have approached respondent No.2 for regularisation. The petitioners have pleaded that if the illegal constructions made by respondent Nos.4 and 5 are regularised, they will suffer untold misery. They have further pleaded that on coming to know about respondent Nos.4 and 5 making application for regularisation, they have sent detailed objections to respondent No.2 and that they apprehend that without considering their objections, the said respondent may regularise the illegal constructions.

The petitioners being the owners of two flats in the apartment are understandably agitated against the illegal constructions allegedly made by respondent Nos.4 and 5 as, their interests are seriously prejudiced by such constructions.

I am, therefore, of the opinion that respondent No.2 shall consider the plight of the petitioners on the day-to-day hardships they may face if the alleged illegal constructions made by respondent Nos.4 and 5 are regularised.

In this view of the matter, respondent No.2 is directed to make an earnest consideration of the objections filed by the petitioners before taking a decision on the application stated to have been filed by respondent Nos.4 and 5 for regularisation of the alleged illegal constructions. If need be, respondent No.2 shall afford an opportunity of personal hearing to the petitioners as well as respondent Nos.4 and 5.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition,

W.P.M.P.No.4181 of 2016 shall stand disposed of as
infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*04th February, 2016
DR*