

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.35418 OF 2016

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for the Municipal Administration and Urban Development and Sri Ancha Pandu Ranga Rao, learned standing counsel for the respondents 2 and 3

2. The case of the petitioner is that she is the owner and possessor of the premises bearing D.No.23-1051, Ward No.23, Aravind Nagar, Nellore District and the structures standing thereon. It is stated that the officials of the 2nd respondent-Corporation are trying to demolish the compound wall and shed, without issuing any prior notice and hence the present writ petition.

3. Learned counsel appearing for the parties fairly submit 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.

4. Following the same, this writ petition is disposed of with the following directions:

- "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.”

Till such order is communicated to the petitioner, the respondents shall not demolish any of the structures erected by the petitioner. However, this order will not preclude the respondents to demolish without notice such structures if there is an emergent situation.

No further constructions shall be made by the petitioner without obtaining permission from the GHMC.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dated:20.10.2016

Note: Issue CC forthwith.

B/o.

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