

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

WRIT PETITION No.8586 OF 2016

ORDER:

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This Writ Petition is filed by the petitioners challenging the action of the 2nd respondent in taking steps to demolish the premises bearing D.No.5-182/43, Mangalagiri Town and Municipality, Guntur District.

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2. The grievance of the petitioners is that they obtained permission for construction of ground plus first floors from the 2nd respondent; and that certain notices were issued on 01.08.2015, 20.08.2015, 10.08.2015 and 26.08.2015 under the Andhra Pradesh Capital Region Development Authority Act read with the Andhra Pradesh Municipalities Act, 1965, alleging that the petitioners made constructions violating the sanctioned plan and asking them to remove the constructions.

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3. Petitioners state that the 2nd respondent is taking steps for demolition of the said constructions without giving proper notice and opportunity to the petitioners.

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4. Sri N.Venkateswarlu, learned counsel for the 2nd respondent, states that the petitioners have not only violated set backs but have built four floors and that prosecution has been initiated against the petitioners. He also assures that action for demolition of this construction would be initiated under the provisions of the APCRDA Act as well as the Andhra Pradesh Municipalities Act, 1965.

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5. The fact that the petitioners have constructed four floors in stead of two floors (G+1) violating the set back is not denied by counsel for the petitioners.

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6. Therefore, the respondents are directed to ensure that constructions made by the petitioners are strictly inconformity with the sanctioned plan and they shall initiate action to remove the constructions made by the petitioners in deviation of the sanctioned plan, in accordance with the provisions of APCRDA Act/A.P. Municipalities Act, 1965, within a period of four (04) weeks from the date of receipt of a copy of this order.

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7. With the above direction, 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.

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M.S.RAMACHANDRA RAO, J

JULY 29, 2016
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Dt: 29.07.2016

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