

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.10566 of 2016

ORDER:

Heard Sri N. Aswartha Narayana, learned counsel for the petitioner, and Sri S.D. Gowd, learned Standing Counsel for the 2nd respondent – Anantapur Municipal Corporation.

The prayer of the petitioner in this case is as under:

“the Hon’ble Court may be pleased to issue a writ of mandamus or any other appropriate writ order or direction declaring the action of the 2nd respondent in making attempts or demolition of petitioner’s house D.No.6-2-231, Kovvur Nagar, Anantapur, Anantapur District, without issuing any notice, without affording any opportunity and without following any procedure is illegal and arbitrary and consequently direct the respondents not to demolish the petitioner’s house D.No.6-2-231, Kovvur Nagar, Anantapur, Anantapur District and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.”

Sri S.D. Gowd, learned Standing Counsel, stated that the petitioner’s construction was in violation of the master plan. However, he fairly conceded that the respondent – Municipal Corporation would abide by the due procedure laid down by law, if it seeks to interfere therewith.

The writ petition is disposed of directing the 2nd respondent – Anantapur Municipal Corporation not to resort to any coercive measures in relation to the petitioner’s house property, including demolition thereof, except in accordance with the due procedure laid down by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:30.03.2016

Note:

Furnish C.C. tomorrow.

(B/o)

PGS