

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.35382 OF 2016

ORDER:

This writ petition is filed questioning the action of the respondents in trying to demolish the building constructed by the petitioner in extent of 377.58 sq. yards in D.No. Old 5-20 (New-9-20) situated at Enkepadu Village, Vijayawada Rural, Krishna District without following the due procedure under Sections 115 and 116 of C.R.D.A Act, 2014.

Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development, Sri D. Ramesh, learned standing counsel for the 2nd respondent and Sri Cheemalapati Ravi, learned Government Pleader for respondent Nos.3 & 4.

Learned standing counsel appearing on behalf of the 2nd respondent submits that the writ petition is filed only on an apprehension rather than there is even any cause of action as on date. However, in the event the property of the petitioner is required for public purpose, the respondents would have to follow the due process and without following due process, the respondents shall not interfere with the property of the petitioner in any manner.

In the light of the submissions made by the standing counsel for the 2nd respondent, the writ petition need not be kept pending.

Learned Government Pleader for 3rd respondent-Gram Panchayat submits that there are no specific allegations against the Gram Panchayat and the Gram Panchayat was made as party-respondent presumably on the ground that it had sanctioned the construction plan.

In the light of the stand taken by the respective respondents, the writ petition is closed making it clear that in the event the Government requires the property of the petitioner for any public purpose or there are any violations as per law, this order does not preclude the respondents to exercise their rights in accordance with law.

With the above observations, the writ petition is closed. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand disposed of as infructuous.

CHALLA KODANDA RAM, J

Dated:20.10.2016
Gk



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