

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.3487 of 2016

05.02.2016

Between:

Surapalli Ramesh

.. Petitioner

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and another

.. Respondents

Counsel for the petitioner: Mr.K.Jyothi Prasad for Mr.K.Sarvabhuma Rao

Counsel for respondent No.1: Government Pleader
for Municipal Administration and Urban Development (AP)

Counsel for respondent No.2: --

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the action of respondent No.2, who attempted to demolish the petitioner's structure over land admeasuring 112 sq.ft. equivalent to 12.44 sq.yds in Door.No. 8-2-12, T.S.No.224/P, Chowk Road, Chowk Ward, Srikakulam, pending his application, dated 22.06.2015, filed under Building Penalization Scheme (BPS), as illegal and arbitrary.

At the hearing, Mr.Nimmagadda Venkateswarlu, learned standing counsel for Municipalities (AP) appearing for respondent No.2, has submitted that the said respondent has been converted into a municipal corporation, with effect from 09.12.2015, under G.O.Ms.No.267.

Mr.K.Jyothi Prasad, learned counsel representing Mr.K.Sarvabhouma Rao, learned counsel for the petitioner, has requested for permission of the Court to withdraw the writ petition, with liberty to his client to file a fresh writ petition.

The Writ Petition is, accordingly, dismissed as withdrawn, with liberty to the petitioner in terms of the prayer made.

As a sequel to dismissal of the writ petition, W.P.M.P.No.4457 of 2016 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

05th February, 2016

GHN

