

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.40489 OF 2016

ORDER:

This Writ Petition under Article 226 of the Constitution of India is preferred by the petitioners seeking to declare the sanction/permission issued by the 2nd respondent on 30.06.2016 in favour of respondents 3 to 6 for construction of 2 cellars + ground floor + 7 residential apartment building in survey Nos.208/3, 208/7, 208/8 and 208/9, Siri Nagar, Patamata, Vijayawada, as illegal and in violation of the provisions of Greater Hyderabad Municipal Corporations Act, 1955, and rules and regulations made thereunder.

Heard both sides.

In this writ petition, the petitioners mainly allege violations on the part of respondents 3 to 6 while making constructions in pursuance to the permission issued by the 2nd respondent on 30.06.2016.

A counter affidavit is filed by the 5th respondent wherein at paragraph No.7 it has been stated as follows:

“7. In reply to Para No.7, this Writ Petitioner filed WP No.41659 of 2016 before this Hon’ble Court, wherein it is prayed, to prove the bonafides of this respondent, the Commissioner, Vijayawada Municipal Corporation, who is respondent No.3 in the said WP, may be directed to consider the Representation of this respondent with regard to conducting an inspection with a team of engineers, if necessary, by calling an Expert Committee, thereby issue a Certificate that this respondent has not violated the terms and conditions and strictly adhered to the Sanction Plan. As a result the Commissioner, Vijayawada Municipal Corporation

has referred the matter to V.R. Sidhardha Engineering College at Vijayawada for third party technical verification. Accordingly, the Expert Committee has inspected the Project site in Survey Nos.208/3, 208/7, 208/8 & 208/9, Patamata Vijayawada and made certain suggestions, which shall be strictly followed and implemented by this respondent.”

In the light of the same, learned counsel for the petitioners submits that the writ petition may be closed recording the statement of the 5th respondent made in the counter affidavit.

Recording the statement made by the 5th respondent in the counter affidavit, the Writ Petition is closed. No costs.

Miscellaneous Petitions, if any pending in this writ petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

21st February, 2017.
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