

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.16196 of 2017

ORDER:

This writ petition is filed seeking a writ of mandamus declaring the action of the respondents 2 & 3 in interfering with construction activities of the petitioner in Sy.No.182, Plot No.14 of Deshapatruni Palem Village, Paravada Mandal, within the GVMC limits, Visakhapatnam District as illegal and arbitrary, and consequently, direct the respondents 2 and 3 not to interfere with construction activities of the petitioner in respect of the above mentioned plot.

Heard and perused the material available on record.

The case of the petitioner is that the 3rd respondent granted house site patta in his favour vide patta No.166/071 in Sy.No.182 of Deshapatruni Palem Village, Paravada Mandal, and he obtained permission for construction of house in the said plot vide proceedings in Rc.No.35/2016/NTR Urban-BLC issued by the District Collector. It is his grievance that while he is carrying on construction activities in the said plot in accordance with conditions of the sanctioned plan, the 3rd respondent came to his plot on 26.4.2017 and tried to interfere with the construction activity of the petitioner without issuing any prior notice.

Considering the facts and circumstances of the case, the respondents 2 & 3 are directed not to interfere with the construction activity of the petitioner if the same is in accordance with law. Further, if the construction of the petitioner is in deviation of the sanctioned plan, the respondents 2 & 3 are at liberty to issue statutory notice and proceed further in accordance with law.

The writ petition is disposed of accordingly. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

12.06.2017
Tsr

RAJA ELANGO,J



