

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.12326 OF 2010

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ of Mandamus or any other appropriate writ, order or direction directing the official respondents herein to prevent the 9th respondent herein from making constructions in the land admeasuring about 420 sq.yards situated in R.S.No.56/3 of Dwaraka Tirumala Village and Mandal, West Godavari District as requested by the petitioners in the representation dated 25.07.2009 and in terms of Lr.L.Dis.No.127/2009/E dated 24-08-2009 of the District Town and Country Planning Officer, West Godavari District, Eluru, 7th respondent herein.”

2. The main grievance of the petitioners is that respondent No.9 is making constructions illegally in the aforesaid land without obtaining permission from the competent authority and in total violation of the rules and regulations.

3. Heard and perused the material available on record.

4. Anybody can approach this Court if any constructions are made without obtaining permission or if the constructions are made contrary to the sanctioned plan. It is brought to the notice of this Court that respondent No.6 filed a counter contending that permission was granted to respondent No.9 to construct the building and he is constructing the building in accordance with the permission granted and that absolutely, there are no deviations

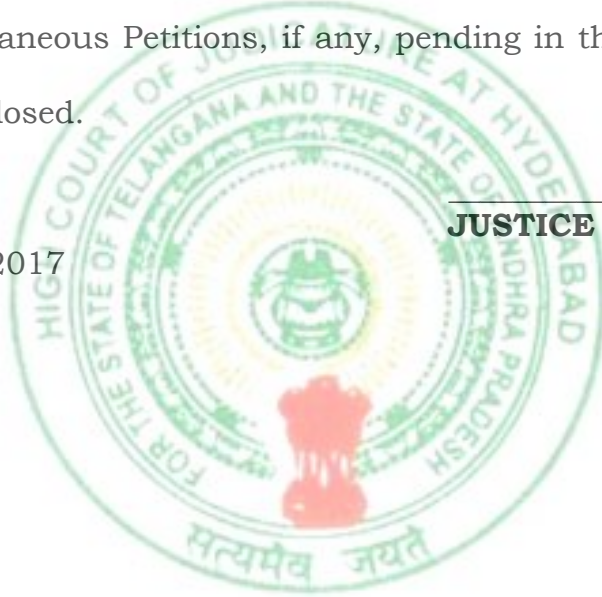
from the sanctioned plan. As seen from the record, it is clear that respondent No.6 issued proceedings in Rc.No.05/2012, dated 26.06.2012, granting permission for regularisation of the construction made by respondent No.9 on payment of penalty. Hence, the official respondents are hereby directed to take appropriate action against respondent No.9 if any constructions are made contrary to the sanctioned plan.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date: 04.09.2017
AMD

JUSTICE RAJA ELANGO



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