

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.33291 OF 2017

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development (A.P.) appearing for respondent No.1, Sri S.Lakshminarayana Reddy, learned Standing Counsel for GVMC appearing for respondent Nos.2 to 4, and G.Nageswara Rao, learned counsel appearing for respondent No.5.

2. When the matter is taken up, written instructions, dated 07.10.2017, furnished by the respondent Municipal Corporation have been placed on record by the learned Standing Counsel. The said instructions read as under:

“Permission has been accorded for the construction of G+2 upper floors residential building in Plot No.H.No.10, Sy.No.132, Gudlavanipalem Village, Sagarnagar, Div.No.6, Zone-I, GVMC, Visakhapatnam in favour of Sri Ippili Panduranga Rao, S/o.Bhaskarrao, vide BA.No.10367/2013/ACP-1, dt.15.04.2014. The above said permission valid for 3 years for the date of permission.

The applicant commenced the construction and constructed Ground and 1st floor building. Construction of 2nd floor is taken up by the owner after lapse of valid period of the permission i.e., 14.04.2017. As the individual commenced the 2nd floor construction after lapse of the permitted period, this office has initiated action treating the said 2nd floor construction is an unauthorized one and issued notice u/s.452 of HMC Act 1955 vide this office UC.No.4/2017, dt.11.09.2017.

Since, the applicant neither stopped the construction nor submitted any explanation for the said notice, as a course action the unauthorized construction has been demolished. Photographs showing the structure and demolition activity is herewith furnished for perusal.”

3. Learned Standing Counsel submitted that in view of the above instructions, no further orders need be passed in the present writ petition.

4. Recording the same, this Writ Petition is closed by placing on record the said instructions. There shall be no order as to costs.

5. Consequently, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

Date : 20.10.2017
AMD

JUSTICE A.V.SESHA SAI



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