

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.3390 OF 2009

ORDER:

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

“to issue an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ order or direction declaring the action of the respondent in threatening to demolish the part of the small residential house No.1-2-292/1 constructed in an area of 110 square yards situated at Ward No.2, Chiluveru Marg, Sirpur Kaghaznagar, by taking due permission from the respondent dated 20.12.2007 and issuing the notices dated 20.10.2008 and 6.11.2008 on the same day i.e. on 31.12.2008 and not considering and not passing any further order in pursuance of the detailed explanation submitted by the petitioner dated 2.2.2009 as arbitrary, illegal, null and void and violative of the principles of natural justice and also violative of the provisions of the A.P. Municipalities Act and also violative of Articles 14, 19 and 21 of the Constitution of India and also abuse of the powers vested in the respondent authority, consequently direct the respondent not to demolish any portion of the residential small house of the petitioner house No.1-2-292/1 constructed in an area of 110 square yards situated at Chiluveru Marg, Sirpur Kaghaznagar, Adilabad District.”

2. Heard and perused the material available on record.
3. Considering all the facts and circumstances of the case, the petitioner is directed to make a representation to the respondent to regularise the construction made by her in respect of the aforementioned house and on such representation being made, the respondent shall consider the same and pass appropriate orders in accordance with law.

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

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

JUSTICE RAJA ELANGO

25.1.2017
AMD



THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.3390 OF 2009

Date: 25.1.2017

AMD