

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO.11667 OF 2013

ORDER :

This Writ Petition is filed seeking to declare the proceedings in Rc. GI-161849/2012 dated 25.03.2012 of the 2nd respondent as illegal and arbitrary, as they are contrary to the approved plan sanctioned to the 4th respondent. A consequential direction is also sought to remove the existing illegal constructions which are constructed beyond the approved plan.

2. The brief facts, which are necessary for disposal of this writ petition, are that the petitioner is resident of D.No. 59-6-21 of Kanchukotavari Street, Ramachandra Nagar, Patamata, Vijayawada; on 11.01.2011, the 4th respondent has obtained building permission for construction of ground and 1st floor for the house bearing No. 59-6-22/1 and started construction thereon, in violation of Municipal Plan; petitioner made several representations to the 2nd respondent and also to the District Collector to take action against the 4th respondent and the official respondents did not take any action against the 4th respondent; aggrieved by the inaction of the official respondents, the petitioner filed W.P.No.33823 of 2012; the said Writ Petition was disposed of on 31.10.2012, directing the respondents to examine the representations of the petitioner and take action in accordance with law; the 2nd respondent conducted enquiry on 14.03.2012 and issued impugned proceedings dated 25.03.2012 which are not in accordance with law; the petitioner again gave a representation to the 2nd respondent on 28.03.2013 mentioning that the impugned proceedings does not address the removal of protruding iron rods from the slab

structure left open for further extension leaving every possibility that the said iron rods emanating from the slab construction for further violation of the approved plan sanctioned to the 4th respondent.

3. When the matter came up for hearing, the learned counsel for the unofficial respondent No.4 and the Standing Counsel for the Vijayawada Municipal Corporation submitted that on 07.07.2016 vide proceedings No. BPS/VIJ/C3/30/0265915, the Commissioner has regularised the construction made by the 4th respondent and hence no further orders are necessary in the Writ Petition.

4. Placing the said proceedings dated 07.07.2016 on record, the Writ Petition is closed as no further orders are necessary in the Writ Petition.

As a sequel, Miscellaneous Petitions, if any pending, shall stand closed.



KONGARA VIJAYA LAKSHMI,J

Dated: 26.10.2018

JR

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