

HON' BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

W.P. No. 1931 of 2013

ORDER:-

This writ petition is filed seeking to declare action of the respondent in issuing the proceedings / Notice dated 10.01.2013 directing the petitioner to remove the steps of his house bearing D.No. 24-48/ 3, Nagapalyam, Punganur, Chittoor District, without following due process of law, as arbitrary and illegal.

Heard the learned counsel for the petitioner and the learned Standing Counsel for Municipal Corporation appearing on behalf of the respondent.

The impugned Notice dated 10.01.2013 is issued directing the petitioner to remove the steps of his house within forty eight hours.

The learned counsel for both the parties have submitted that the petitioner filed a suit against the respondent and the same is pending adjudication before the trial Court.

In view of the undisputed fact that a civil suit said to have been filed by the petitioner is pending before the trial Court, the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. However, the petitioner is at liberty to work out his remedies as may be available under law. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending,
shall stand disposed of as infructuous.

KONGARA VIJAYA LAKSHMI, J

04.12.2018

bcj

