

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD**

WRIT APPEAL No.1386 OF 2018

JUDGMENT: *(Per Hon'ble Sri Justice M.Satyanarayana Murthy)*

The appellant is the writ petitioner in W.P.No.36756 of 2018 challenging the notice dated 04.10.2018 issued by the 3rd respondent directing the writ petitioner to remove illegal structures in the stilt area of the Apartment viz., Veeravalli Towers situated at Ravipadu village, Narsaraopet Mandal, Guntur District, on various grounds.

The learned Single Judge of this Court admitted the writ petition without granting any interim order in I.A.No.1 of 2018. As the learned Single Judge has not passed any interim order in I.A.No.1 of 2018 while admitting W.P.No.36756 of 2018, the present writ appeal is filed.

Admittedly, the writ petition filed by the writ petitioner was admitted and interlocutory application i.e., I.A.No.1 of 2018 is deemed to be pending till date. When no order is passed in the said I.A, the question of filing the present appeal does not arise, since the writ petitioner is not an aggrieved person as on today. In view of pendency of I.A.No.1 of 2018 in W.P.No.36756 of 2018, the present appeal itself is not maintainable. At best, the writ petitioner is entitled to move the learned Single Judge for grant of appropriate relief. Though I.A.No.1 of 2018 is pending, instead of approaching the

learned Single Judge for appropriate relief, the present appeal is filed claiming interim relief as sought in I.A.No.1 of 2018.

Learned counsel for the appellant-writ petitioner at the end requested to grant liberty to the writ petitioner to move the learned Single Judge for grant of appropriate interim relief.

In view of the request made by the learned counsel for the writ petitioner, the writ appeal is disposed of granting liberty to the appellant-writ petitioner to move the learned Single Judge of this Court in W.P.No.36756 of 2018 for appropriate interim relief. No order as to costs.

Pending miscellaneous application, if any, shall stand closed.



JUSTICE M.SATYANARAYANA MURTHY

JUSTICE T.AMARNATH GOUD

Dt: 19.10.2018
prv/v v