

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.39182 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 2nd respondent in not initiating the action against the illegal construction of additional three floors made by the 4th respondent deviating from the building permission granted for construction of residential building with stilt plus ground plus two floors at Door No.12-4-4 in old ward No.24 and new ward No.26, locality No.12, Anjaneya Agraharam, West Bapatla Municipality, Guntur District, exercising their statutory duties under the provisions of the A.P. Municipalities Act, 1965 (for short, "the Act"), as illegal and arbitrary.

When the matter is taken up for hearing, learned Standing Counsel for the respondents 2 and 3, would submit that a notice dated 20.6.2018 under Section 217/3 of the Act, came to be issued to the 4th respondent herein informing her about the illegal constructions and when no reply was given, another notice dated 26.10.2018 under Section 228/3 of the Act came to be issued. To which also there was no reply. He further submits that there are some civil disputes pending between the petitioner and the 4th respondent.

Be that as it may, if there are no orders from the civil Court preventing the official respondents from proceeding with removal of illegal constructions, said to have been made by the 4th respondent, the official respondents may proceed with the same, in accordance with law.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondents 2 and 3 to take further steps for removal of the unauthorized structures made by the 4th respondent, in the subject premises, in accordance with law, keeping in view of the orders of the civil Court, if any. No order as to costs.

As a sequel to disposal of the writ petition, miscellaneous petitions pending, if any, shall stand closed.

C. PRAVEEN KUMAR,J

Date:08.11.2018.

Gk



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