HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 40586 of 2018

ORDER:

1) Heard learned counsel for the petitioner and Sri M.Balaji, learned Standing Counsel for the second respondent-Corporation. With the consent of both the parties, the writ petition is being disposed of at the admission stage.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in interfering with the construction of premises bearing No.54-18-40/4, 54-18-44/A, Ward No.23, Block-1, Plot No.7, RS No.439/2B, Gunadala, L.I.C.Colony, Midhula Nagar, Vijayawada, as illegal and arbitrary.

3) The grievance of the petitioner appears to be that the respondent-authorities are interfering with the construction in the subject premises without issuing any notice.

4) Sri M.Balaji, learned Standing Counsel for the second respondent-Corporation, on instructions, states that pursuant to a complaint made the authorities have only measured the site and noticed deviation between the approved plan and the constructions made. But however, states that any action to be initiated is only in accordance with the procedure established under law.

5) Recording the said statement, the writ petition is disposed of permitting the respondent-authorities to take steps for removing the un-authorised constructions, if any, in the subject premises in accordance with law. However, it is made clear that the constructions made shall only be in accordance with the approved plan and that if any constructions made found to be illegal, the petitioner shall not claim any equities thereafter.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

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JUSTICE C. PRAVEEN KUMAR

15.11.2018
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