

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**W.P.No.2345 of 2019**

**ORDER**

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1 and Sri N. Ashok Kumar, learned Standing Counsel for respondents 2 to 5.

2. This writ petition is filed seeking to declare the action of the 4<sup>th</sup> and 5<sup>th</sup> respondents in restraining the petitioners from making construction as per the sanctioned building permissions dated 30.06.2016 vide permit No.51860/DC/CZ/Cir-8/2016; dated 20.07.2016 vide permit No.52257/DC/CZ/Cir-8/2016 and dated 20-07-2016 vide permit No.52258/DC/CZ/Cir-8/2016 issued by the 2<sup>nd</sup> and 3<sup>rd</sup> respondents in favour of the petitioners, as arbitrary and illegal.

3. The allegation of the petitioners is that at the instance of the 6<sup>th</sup> respondent, the respondents are interfering with their constructions in the subject properties.

4. Learned counsel for the petitioners has placed on record the memo dated 15.02.2019 undertaking that they would strictly adhere to make constructions in accordance with the sanctioned plan without any deviation.

5. Learned Standing Counsel for respondents 2 to 5 submits that as long as the petitioners adhere to make constructions within the sanctioned plan, the respondents would not take action.

6. The material on record would show that civil disputes are pending between the petitioners and the respondents and that on earlier occasion, 6<sup>th</sup> respondent filed W.P.No.32578 of 2016 against the official respondents to restrain the petitioners from making illegal constructions by canceling the building permission and this Court granted interim order therein.

7. Having regard to the facts and circumstances and in the event of any violation of the undertaking given by the petitioners by making constructions in deviation of the sanctioned plan, the respondents are at liberty to initiate contempt proceedings.

8. With the above observation, the Writ Petition is closed. No order as to costs.

9. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

**CHALLA KODANDA RAM, J**

18<sup>th</sup> February, 2019

sj