

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 5829 of 2019

ORDER:

In this writ petition, petitioner challenges the notice, dated 18.02.2019, issued by respondent No.2-Korutla Municipality, Jagityal District, directing him to stop the illegal constructions made by him in an extent of land admeasuring 105.11 square yards in Survey Nos.408/1 to 3 of Korutla Mandal, Jagityal District.

As can be seen from the material placed before this Court, it is evident that pursuant to the impugned notice, the petitioner submitted his explanation on 10.03.2019 stating that he is making constructions on the ground floor in accordance with the building permit dated 03.01.2019 and that the respondent officials along with the Civil Engineer may inspect the premises in question in his presence and if the construction is in deviation to the sanctioned plan, necessary action may be taken.

Since the petitioner has already submitted his explanation to the impugned notice, the respondent authorities, without passing any final order, cannot stop the construction of the petitioner.

In those circumstances, as long as the permission granted in favour of the petitioner is valid and the same is subsisting, respondent No.2 or its Officers cannot prevent the petitioner from making construction adhering to the sanctioned plan. In the event, respondent No.2 finds any deviation, it is open to it to issue proper notice to the petitioner calling for his explanation and after

considering the same, it shall pass appropriate orders before taking any action.

Subject to the above, the writ petition is closed.

Miscellaneous petitions, if any, pending in this writ petition shall also stand closed. There shall be no order as to costs.

Dt:20.03.2019
kdl

CHALLA KODANDA RAM, J

