

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 5905 OF 2019

ORDER:

The limited grievance of the petitioner in this Writ Petition is that respondent Nos.2 and 3 are not considering the representation dated 21.01.2019 submitted by him complaining the unauthorised constructions made by respondent No.4.

Sri Sampath Prabhakar Reddy, learned Standing Counsel for GHMC appearing for respondent Nos.2 and 3 submits that a notice has already been issued to respondent No.4 with regard to the unauthorised constructions made by him and necessary action would be taken.

It may be noted that in the order dated 27.10.2006 in W.P.No.20000 of 2006, the Division Bench of this Court made the following observations and directions:

“Hence, the writ petition is disposed of as infructuous with liberty to the petitioner to seek revival of the same, if final action is not taken by the municipal authorities within a reasonable time.

Needless to say that this order shall not preclude respondent No.2 from showing to the concerned authority of the municipality that the construction being raised by her is not in violation of the sanctioned plan and that she would make further construction strictly in accordance with the sanctioned plan.

While disposing of the writ petition in the manner indicated above and by taking cognizance of a large number of similar petitions which are filed before this Court with the complaint that despite representations and legal notices, the authorities of the municipality do not take action to stop illegal and unauthorized constructions, we deem it proper to issue the following general directions:

- 1) The Commissioners and/or other concerned authorities of the Municipal Corporations and Municipalities in the State of Andhra

Pradesh should within a period of 15 days from the date of receipt of representation made or notice sent by any person with the complaint regarding illegal/unauthorized construction, invariably give a written response to the person sending representation or notice.

2) The concerned authorities of the Municipal Corporations or Municipalities shall take necessary measures/steps to ensure that no one is allowed to raise construction without obtaining the building plan sanctioned from the competent authority and no construction is made in violation of the sanctioned plan or master/zonal plan/lay out.”

In the light of the above, the respondent authorities are mandated to inform the petitioner with regard to the action taken on his representation clearly mentioning whether the unauthorised constructions made by respondent No.4 have been removed or not.

Subject to the above, the Writ Petition is disposed of.

Miscellaneous applications, if any pending, in the Writ Petition shall also stand disposed of. No costs.

CHALLA KODANDA RAM, J

Dt:29.03.2019

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