

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

THE HON'BLE SRI JUSTICE B KRISHNA MOHAN

**FRIDAY, 21ST DAY OF APRIL, TWO THOUSAND AND
TWENTY THREE**

WRIT PETITION No.9709 of 2023

Between:

Chintalapati Varum Varma, S/o.
Chintalapati Rama Krishnam Raju,
Aged about 30 years, R/o. D.No. 8-
42/11, Hanuman Nagar, Bapulapadu
Mandal, Bapulapadu, Krishna District
and 1 other.

....Petitioners

And

The State of Andhra Pradesh, Rep by
its Principal Secretary, Department of
Panchayat Raj and Rural Development,
Secretariat Buildings, Velagapudi,
Amaravati, Guntur District and 3
others.

....Respondents

ORDER:

Heard the learned counsel for the petitioners and the
learned Standing Counsel for the respondent nos. 2 and 3.

2. The grievance of the writ petitioners is that the 2nd
respondent passed the confirmation order alleging that the
petitioners deviated/violated the rules and regulations as per
the sanctioned plan for the approved building as under:
There is a deviation of 0.10 meters in the rear set back, 2.50

meters in Side-1 Setback, 0.72 meters in Side-2 Setback and the building is being used for running of the Educational institution.

3. The learned Standing Counsel appearing for the respondents submits that the permission was given for the said building to use it for the of commercial purpose. But the educational institution is being run in that land and the building. For which the petitioner has to make necessary application to revise the land usage. In view of the above said deviations, the 2nd respondent passed the confirmation orders dated 29.03.2023 which is impugned herein.

4. In reply, the learned counsel for the petitioner submits that the defects pointed out by the 2nd respondent in the impugned confirmation order dated 29.03.2023 are curable in nature and the petitioner undertakes to take necessary steps for the purpose of removing the said deviations as observed by the 2nd respondent by making necessary application to the authority concerned.

5. In view of the above said facts and circumstances, the petitioner is permitted to make necessary application in this regard before the appropriate authority concerned within a period of three (3) weeks from the date of receipt of this order.

On receipt of the same, the 2nd respondent shall consider and issue necessary permissions strictly in accordance with law without reference to the impugned order dated 29.03.2023. Till such time, there shall be an order of *status quo* as on today to be maintained with respect to the subject land usage.

6. Accordingly, the Writ Petition is disposed of. No costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE B KRISHNA MOHAN

21.04.2023
UPS