

HONOURABLE SRI JUSTICE P. NAVEEN RAO

Writ Petition No.26020 of 2015

ORDER :

The petitioner claims to be in possession and enjoyment of property bearing D.No.52-11-50/1, Padmanabha Nagar, Jagannaickpur, Kakinada, East Godavari District. While so, he was given a notice under Section 406 of Greater Hyderabad Municipal Corporation Act, directing the petitioner to show cause why he should not be evicted from the schedule property mentioned therein within 24 hours from the date of receipt of the notice. The petitioner challenges the said notice on various grounds. The petitioner also contends that *ex facie* the time of 24 hours granted to submit explanation is too meagre.

2. *Prima facie*, as seen from the notice, the time granted to the petitioner to respond is only 24 hours. According to the petitioner, the petitioner is in possession and enjoyment of the said property for a long time and in fact a decree was passed in his favour in A.S.No.175 of 2010 on the file of the I Additional Senior Civil Judge, Kakinada and he was granted permanent injunction.

3. Having regard to the fact that only very short time is granted, which appears to be unreasonable, the Writ

Petition is disposed of directing the petitioner to submit explanation within a period of ten days from today and on receipt of such explanation, the same shall be considered and appropriate orders be passed. Till the final orders are passed, Respondents are directed not to take coercive steps against the petitioner. All other issues are left open.

4. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand dismissed. There shall be no order as to costs.

P. NAVEEN RAO, J.

August 17, 2015.

skmr