

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.13862 of 2015

ORDER:

Aggrieved by the notice dated 20.04.2015 issued by respondents 2 and 3, directing the petitioner to remove the latrine pit and room alleged to have been constructed by him in the land pertaining to drainage channel within five days of receipt of the notice, the petitioner filed the present writ petition.

According to the petitioner, he has made the aforesaid constructions within his land, as per the permission obtained in the year 2009, and not in the land pertaining to drainage channel. He contends that without issuing any notice and calling for his explanation, the respondent authorities have straightaway issued the impugned notice and thus the same cannot be sustained.

Mr. G. Seshadri, learned Standing Counsel for the 2nd respondent, submits that the petitioner may submit his explanation in response to the impugned notice dated 20.04.2015 and the same will be considered by the authorities in accordance with law.

Having regard to the said submission and in the facts and circumstances of the case, the writ petition is disposed of, permitting the petitioner to submit explanation to the impugned notice dated 20.04.2015 within a period of two weeks from today. On receipt of such explanation, the respondent authorities shall consider the same and take appropriate decision in accordance with law within a period of four weeks thereafter. Till such time, status quo obtaining as on today shall be maintained. It is made clear that if the petitioner does not file his explanation within the aforesaid period, the respondent authorities are at liberty to proceed further in the matter in accordance with law.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

A. RAJASHEKER REDDY, J

1st May, 2015

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