

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10643 OF 2015

ORDER:

This petition is filed for issuance of a writ of *Mandamus* to declare the impugned notice dated 31.03.2015 issued by the 2nd respondent as illegal and arbitrary.

The case of the petitioner is that his shop is one of the twenty shops situated in Malakpeta area of Tadepalli, Guntur District; that respondent No.2 issued notice dated 31.03.2015, asking the petitioner to remove his shop, which was served on 08.04.2015. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner, Sri N.Venkateswarlu, learned Standing Counsel appearing for respondents 1 and 2 and learned Government Pleader for Municipal Administration appearing for respondent No.3.

Learned counsel for the petitioner submits that without issuing any show cause notice, the impugned notice was issued.

On the other hand, learned Standing Counsel, appearing for respondents 1 and 2 submits that the petitioner has occupied the road margin, which is causing inconvenience to the general public; that no explanation is submitted by the petitioner in pursuance of the impugned notice and that if the petitioner files an explanation, they will consider the same and pass appropriate orders.

In view of the same, the petitioner is permitted to submit his explanation within a period of three weeks from the date of receipt of a copy of this order and on such explanation, respondent No.2 shall consider the same and take appropriate action accordingly in accordance with law. If the petitioner fails to file his explanation within the aforesaid period, it is for the Authorities to take action accordingly. Till then, *status quo* obtaining as on today shall be maintained by both the parties.

With the above direction, this writ petition is disposed of. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

15.04.2015

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