

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.38908 OF 2016

DATED : 11.11.2016

Between :

Shakunthala Karna W/o.NSJ Prabhakar Rao,
Aged about 65 yrs, Occu : Retd. Govt. Head Mistress,
R/o.Ground floor, 29-1356/25C, Road No.3,
Kakatiyanagar, Neredmet, Malkajgiri,
Hyderabad.

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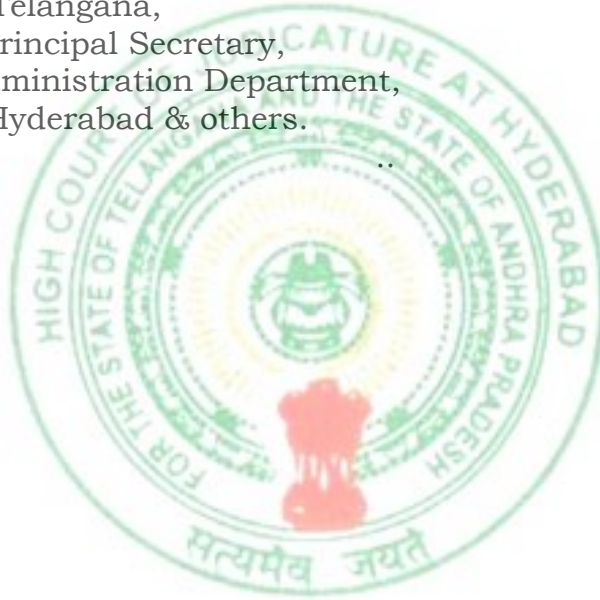
Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Municipal Administration Department,
Secretariat, Hyderabad & others.

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Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER :

Petitioner challenges the notices issued under Sections 452 and 636 of Hyderabad Municipal Corporation Act, 1955.

2. Primarily it is contended by learned counsel for the petitioner that even though petitioner filed her explanations, as and when notices were issued, in the final order passed on 25.10.2016, it refers to, as if, no such reply was filed by the petitioner. There is no proof filed in support of the contention of the petitioner that explanations were submitted. However, after the final notice was issued, petitioner filed another representation on 28.10.2016 which was acknowledged by the authority. This explanation refers to the earlier notices and specifically alleges that even though earlier explanations were filed they were not considered.

3. Having regard to these contentions and in order to afford further opportunity to the petitioner, I deem it proper to direct the Deputy Commissioner, Malkajgiri, Circle No.XVII, GHMC, Hyderabad (3rd respondent) to consider the explanations submitted by the petitioner, including the explanation dated 28.10.2016, and pass orders on the allegation of unauthorized constructions made by the petitioner, within a period of three (3) weeks from the date of receipt of copy of this order. Till the orders are passed as directed above, the final order dated 25.10.2016 shall be kept in abeyance and no coercive action shall be taken against the petitioner. It is made clear that there is no expression of opinion on merits and the

claim of the petitioner as well as rival contentions are preserved to be agitated in appropriate proceedings.

4. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

11th November, 2016
Rds

P.NAVEEN RAO,J

