

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.30349 of 2016

ORDER:

Heard the learned counsel for the petitioner and Sri S.Lakshminarayana Reddy, learned Standing Counsel for 2nd respondent.

2. Petitioner has filed this Writ Petition alleging that the respondents are demolishing the structures constructed by the petitioner's mother in an extent of Ac.0.02 cts in Sy. No.41 of Koppaka village, Anakapallil Mandal, Visakhapatnam District without following due process of law.

3. Sri S.Lakshminarayana Reddy, learned Standing Counsel for 2nd respondent, states that 2nd respondent had issued notice under Section 452 of the GHMC Act, 1955 on 19-08-2016, but the petitioner refused to receive it and then approached to this Court making false allegations.

4. Learned counsel for the petitioner states that no notice has been issued to the petitioner till now in any event.

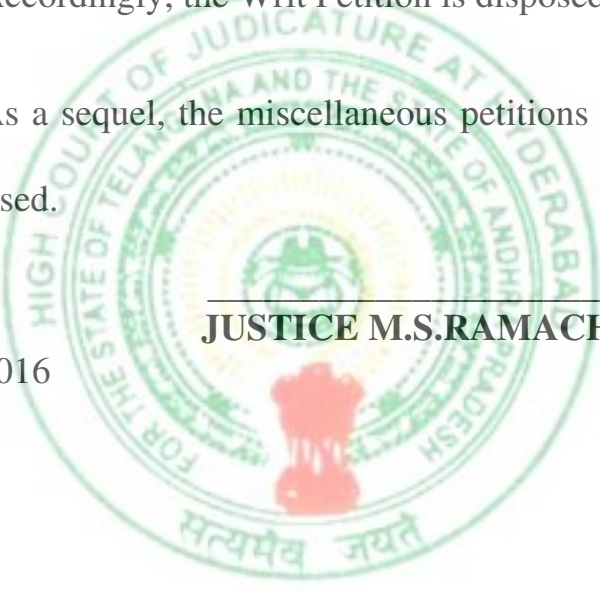
5. Learned Standing Counsel undertakes to handover the copy of the said notice to the petitioner.

6. Therefore, the petitioner is granted three weeks from the date of receipt of a copy of this order for filing an explanation to the said show cause notice dt.19-08-2016. Thereafter, 2nd respondent

shall pass a reasoned order and communicate the same to the petitioner. Till this exercise is completed, the respondent shall not interfere with the possession and enjoyment of the subject property of the petitioner. However, the petitioner shall also not make any further construction in the subject premises. If the petitioner does not file any reply to the show cause notice within the time aforesaid, the 2nd respondent can take further action pursuant to the notice dt.19-08-2016 issued by it.

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

8. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.



JUSTICE M.S.RAMACHANDRA RAO

Date: 12-09-2016
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