

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 18177 of 2016

ORDER :

1. The present Writ Petition came to be filed seeking to declare the action of the respondents in issuing Notice No.5/UC/W.No./2015-16, dated 16.05.2016 as illegal and arbitrary.
2. Heard the learned counsel for the petitioner and Sri N.Praveen Kumar, learned Standing Counsel appearing for respondents.
3. The impugned notice was issued under Section 228 (1) of the Andhra Pradesh Municipalities Act, 1965 asking the petitioner to show cause as to why unauthorized construction made in H.No.5-1-149/5, Ghanapur Ward of Tandur made by the petitioner should not be removed. Learned counsel for the petitioner submits that though the impugned notice is dated 16.05.2016, the petitioner was asked to appear before respondent No.2 on 10.05.2016 at Municipal Office or submit a reply within 7 days from the date of receipt of the said notice. However, he submits that on 26.05.2016, the petitioner submitted a representation, in pursuance of the impugned notice and the same is still

pending consideration. The learned Standing Counsel appearing for the respondents submits that the respondents have to take appropriate decision on the representation submitted by the petitioner.

4. In view of the fact that the petitioner has already submitted a representation pursuant to the impugned notice and having regard to the submission made by the learned Standing Counsel for respondents, the respondents are directed to consider the explanation submitted by the petitioner and pass appropriate orders thereon in accordance with law after giving personal hearing to all concerned, as early as possible preferably within a period of six weeks from the date of receipt of a copy of this order. Till such time, the respondents shall not take any coercive steps against the property in question. It is needless to mention that the petitioner is at liberty to give additional representation, if any, setting out his grievance in detail.

5. The Writ Petition is disposed of with the aforesaid direction. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

10.06.2016

DRK

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

W.P.No.18177 of 2016

10.06.2016