

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 16957 of 2016

ORDER :

Heard the learned counsel for the petitioners and Sri S.D.Goud, learned Standing Counsel for respondents 3 and 4. At the request of both the counsel, the Writ Petition is being taken up for disposal at the stage of admission.

2. The present Writ Petition came to be filed with the following prayer:

“... to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in demolishing the houses (Balconies) of the petitioners bearing D.Nos.17/226, 17/215, 17/87, 17/214, 17/216, 17/217; 18/72; 21/107; 21/157; 21/54; 17/88; 21/155; 17/4; 17/3; 21/158 and 17/5 of Tilak Road, Old Town, Anantapur, as illegal, arbitrary and in violation of principles of natural justice and consequently set aside the notices dated 04.05.2016 issued by the 3rd respondent to the petitioners and pass...”

3. Though various grounds are raised in the Writ Petition, learned counsel for the petitioners submits that without giving any notice or opportunity of submitting explanation, the impugned notices came to be issued directing the petitioners to remove the structures in the subject premises, failing which the Corporation would take steps to remove the same. The learned Standing

Counsel appearing for respondents 3 and 4 submits that the respondent corporation would follow due process of law for removal of structures or for eviction of petitioners. He further submits that the petitioners may be directed to submit explanation by treating the impugned notices as show-cause notices, after which the authorities shall pass appropriate orders in accordance with law after giving an opportunity of hearing.

4. In view of the submissions made and having regard to the circumstances of the case, without going into merits of the case, the petitioners are directed to submit explanation by treating the impugned notices as show-cause notices, within a period of 3 weeks from today, in which event, the authorities shall pass appropriate orders in accordance with law after giving opportunity of hearing to the petitioners as early as possible. Till such time, the respondents shall not take any coercive steps either for demolition of the structures in the subject premises or dispossession of the petitioners therefrom.

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

14.07.2016

DRK

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