

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

WRIT PETITION No.24528 of 2016

ORDER:

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Heard Sri Mohd. Ghulam Hussain, learned counsel for petitioner and Smt.Pingali Lakshmi, learned Standing counsel for

2nd respondent..

2. Petitioner has filed this Writ Petition assailing notice

dt.30-05-2016 issued under Section 452 (2) of the Greater Hyderabad Municipal Corporation Act, 1955 (for short "the Act") threatening to take further action as per Section 636 of the Act on the ground that the petitioner had built a R.C.C. building in the subject property without taking prior permission from the 2nd respondent.

3. Learned counsel for petitioner contends that the detailed explanation furnished by the petitioner on 26-05-2016 has not even been adverted to in the impugned notice and has not been considered.

4. This fact is not disputed to by the learned Standing Counsel for 2nd respondent.

5. Therefore, the impugned notice dt.30-05-2016 is set aside on the ground that the 2nd respondent had not considered petitioner's detailed explanation dt.26-05-

2016; and the 2nd respondent is directed to pass a fresh order in accordance with law by giving reasons within two (02) weeks from the date of receipt of a copy of this order and communicate the said order to petitioner. Till this exercise is completed, the structures erected by petitioner shall not be demolished.

6. The Writ Petition is allowed as above. No costs.
7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 03-08-2016

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