

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.3504 of 2016

-
05.02.2016

Between:

C.Siva Reddy and another

.. Petitioners

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioners: Mrs.P.Rajani Reddy

Counsel for respondent No.1: Government Pleader
for Municipal Administration and Urban Development (AP)

Counsel for respondent Nos.2 and 3: --

The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to set aside notices, dated 23.11.2015 and 07.01.2016.

As regards the notices, dated 07.01.2016, Smt.P.Rajani Reddy, learned counsel for the petitioners, submitted that as the same are in the nature of show cause notice, her clients will submit explanations and that therefore, she is not pressing for any relief in respect thereof.

With regard to the notices, dated 23.11.2015, issued to the petitioners, the learned counsel for the petitioners has admitted that her clients are only lessees of municipal complex, wherein, they have been running shops and that they have constructed steps in a small lane, which is not useful for any other purpose. She has, however, submitted that the petitioners may be permitted to submit their explanations to the said notices and if respondent No.2 is not convinced with the same, the petitioners will remove the steps.

After hearing the learned standing counsel for respondent No.2, this Court is of the opinion that the request of the learned counsel for the petitioners is reasonable.

Accordingly, the petitioners are permitted to submit their explanations to notices, dated 23.11.2015, within a period of one week from today. On considering such explanations, respondent No.2 shall take a decision as to whether the steps constructed by the petitioners shall be removed or not. If respondent No.2 is not convinced with the explanations of the petitioners, it shall be free to remove the obstructions put up by the petitioners. It is needless to observe that till this exercise is completed, the impugned notices, dated 23.11.2015, shall not be enforced.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.4485 of 2016 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

05th February, 2016
GHN