

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38911 of 2016

ORDER

This writ petition is filed seeking to declare the action of respondents in interfering with the petitioner's possession of property by taking coercive measures including demolition of property without any notice as contemplated under Section 248 of Cantonment Act, 2006, as illegal and arbitrary.

2. Heard and perused the material on record.

3. As seen from the record, it is evident that a show cause notice was issued by the 1st respondent on 19.10.2016 calling upon the petitioner to produce a copy of sanctioned building plan obtained from the Cantonment Board, Secunderabad, within three days. Subsequently, the petitioner made a representation on 22.10.2016 before the 2nd respondent seeking extension of time for production of sanction plan. She also submitted a reply/representation dated 26.10.2016 to the 2nd respondent to give an opportunity of personal hearing before taking further action. However, it is stated that the respondents are trying to take steps for removal of the structures. Hence, the writ petition.

4. Considering the facts and circumstances of the case and since the reply/representation dated 26.10.2016 filed by the petitioner is pending consideration, I deem it appropriate to direct the 2nd respondent to dispose of the representation dated 26.10.2016 filed by petitioner as expeditiously as possible. Till such time, no coercive steps shall be taken in respect of the subject property.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

11th November, 2016

sj



