

**THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR**

**WRIT PETITION No. 17414 of 2016**

**ORDER :**

Heard the learned counsel for the petitioner 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 house (Balcony) of the petitioner bearing D.Nos.18/67 of Tilak Road, Old Town, Anantapur, as illegal, arbitrary and in violation of principles of natural justice and consequently set aside the notice dated 04.05.2016 issued by the 3<sup>rd</sup> respondent to the petitioner and pass...”

3. Though various grounds are raised in the Writ Petition, learned counsel for the petitioner submits that without giving any notice or opportunity of submitting explanation, the impugned notice came to be issued directing the petitioner to remove the structure 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 petitioner. He further submits that the petitioner may be directed to submit explanation by treating the impugned notice as show-cause notice, after which the authorities shall pass appropriate orders in accordance with 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 petitioner is directed to submit explanation by treating the impugned notice as show-cause notice, 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 petitioner as early as possible. Till such time, the respondents shall not take any coercive steps either for demolition of the structure in the subject premises or dispossession of the petitioner 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.

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**C.PRAVEEN KUMAR, J**

**14.07.2016**

DRK

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