

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.16036 OF 2016

ORDER:

This writ petition is filed seeking to declare the action of the third respondent in issuing notice dated 15.03.2016 directing the petitioner to remove the ground floor in Survey No.127 Ward No.71 situated at Mahila Pragathi Centre Road, Pendurthi, Visakhapatnam, pending consideration of the petitioner's building permission application, as illegal and arbitrary.

Heard the learned counsel for the petitioner, learned Government Pleader for Municipal Administration, appearing for the first respondent and the learned Standing Counsel Sri S.Laxminarayana Reddy, for respondents 2 and 3.

The case of the petitioner is that the petitioner was issued a show cause notice under Section 452(1) of Greater Hyderabad Municipal Corporation Act (for short 'the Act') on 15.03.2016 and they have filed explanation on 03.05.2016 and the same is pending. Without passing any orders, the respondents are trying to demolish the properties of the petitioner. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioners stated that application filed by the petitioners under Section 455(A) of the Act is pending. Learned standing counsel stated that Clause 'C' of Section 455(A) of the Act is not complied with.

Without going into the merits of the case, the respondent authorities are directed to consider and dispose of the application filed by the petitioner under Section 455(A) of the Act in

accordance with law within a period of two weeks from the date of receipt of a copy of this order. Till then, the respondents shall not take any coercive steps for demolition of the subject building.

With the above direction, the writ petition is disposed of. There is no order as to costs. Consequently, miscellaneous petitions pending if any in this writ petition shall stand closed.

A.RAJASHEKER
REDDY, J

06.05.2016
Rns/Rkk

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.16036 OF 2016

Date:06.05.2016

Rns/Rkk