

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 22006 and 22019 of 2016

COMMON ORDER:

Heard learned counsel for the petitioners and Sri
A.Panduranga Rao, learned Standing Counsel for Municipal
Corporation.

Since the issue involved in both the writ petitions is one and the
same, they are disposed of by this common order.

The Writ Petitions are filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, it is hereby
prayed that this Hon’ble Court may be pleased to issue a Writ or order or
direction more particularly one in the nature of writ of Mandamus
declaring the proceedings in Roc.No.5547/2013-G1/Cirlice, dated
28.06.2016 as illegal, arbitrary, null and void and for a consequential
direction to the respondent to stop the demolition of the building bearing
Door No.7-30-11, Main Road, Rajamahendravaram, East Godavari
District and to pass such other order or further orders as this Hon’ble
Court may deem it fit and proper in the circumstances of the case’.

Learned counsel for the petitioners submits that prior to issuance
of notices under Section 459 of the Act, respondent-authorities
ought to have given notice to the petitioners seeking explanation.

Learned counsel for the respondent-corporation submits that
combined notice under Sections 456 and 459 of the Act indicates notice
for demolition as well as notice giving opportunity to submit objections
with evidence.

Having regard to the above, treating the impugned order as notice
to the petitioners, they are directed to submit explanation within a period
of two weeks from the date of receipt of a copy of this order and orders be
passed by the concerned within a period of two weeks thereafter. Till
such time, respondent-authorities are directed not to take any coercive
steps.

Accordingly, the writ petitions are disposed of.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

05.07.2016,
vhb