

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.464 OF 2015

ORDER:

The petitioners pray for mandamus declaring the notice dated 17.01.2015, issued by the 3rd respondent, as illegal and unconstitutional.

The operative portion of the notice/orders impugned in the writ petition reads thus:

“.....The Samskruthi Town ship had illegally made the shops and doing business and the grampanchayat had many times informed that to remove the same but till date they have not removed the same.

In this regard on 08.01.2015, the Telangana Housing Board had directed to remove the said shops immediately and directed the Samskruthi Town ship to remove the same and later on 12.01.2015 M/s. Speak System Limited informed that to remove the temporary sheds in the land immediately but they have not remove the same and on 20.01.2015, Tuesday, had removed the shops under Section 98 of the Andhra Pradesh Panchayat Raj Act, 1994.

This is to inform you that if there is any material take the same and if there is any damages occurred the authorities will not responsible for the same.”

This Court granted interim order on 19.01.2015 and WVMP.No.551 of 2015 is filed for vacating the said interim order. One of the objections raised by the respondents is that the notice/order impugned in the writ petition can effectively be challenged before the Government by filing Revision.

Counsel for the petitioners stating that the petitioners may be given opportunity to workout remedy of Revision before the Government. The statement is placed on record.

Without going into the merits of the matter, this Court is of the view that the petitioners can be given opportunity to avail the remedy of Revision before the Government and writ petition is disposed of by this order.

1. Interim order granted on 19.01.2015 is directed to continue for a period of four (04) weeks from today.

2. Petitioners are given liberty to file Revision by enclosing a copy of this order before the Government within two (02) weeks and if a Revision is filed as permitted by the Court, the Government considers passing orders on the stay application, if any, moved by the petitioners before the expiry of four (04) weeks period for which the interim order is extended. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Date: 18.09.2017
Note: CC by 3 days
(B/o) dv

S.V.BHATT, J