

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P. No.17041 OF 2017

ORDER:

The present writ petition challenges the provisional order No.UCBA No.52/G1/2015 dated 12.05.2017 issued by Puttoor Municipality under Section 217 (1) (2) of A.P. Municipalities Act, 1965. By virtue of said show cause notice, the Commissioner, Puttoor Municipality called upon the petitioner as to why prosecution should not be initiated and as to why the construction should not be removed.

2. In the affidavit, it is stated that the petitioner herein received the show cause notice on 15.05.2017 and immediately tried to submit the explanation but the officials of 2nd respondent did not receive the same. There is no reason forthcoming from the petitioner as to why he did not make an effort to send the explanation by post.

3. Since the impugned notice is only a show cause notice and as the respondents herein granted seven days time to submit explanation, it is open to the petitioner to submit his explanation to said show cause notice within a period of one week from the date of receipt of a copy of this order. If any such explanation is submitted within the time stipulated, the same to be considered in accordance with law. Pending such consideration, no coercive action shall be taken pursuant to the impugned provisional order dated 12.05.2017. It is also further made clear that in the event of failure on the part of the petitioner in submitting the explanation, this order will not come to the benefit of the petitioner.

4. Accordingly, the writ petition stands disposed of.

5. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

18th May,2017
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THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P. No.17041 OF 2017



Date:18.05.2017

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