

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

WRIT PETITION No.28994 of 2017

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for respondent No.1 and Sri Ancha Panduranga Rao for respondent No.2.

According to the learned counsel for the petitioner, the respondent Municipal Corporation, without considering the legal notice, dated 10.07.2017, got issued by the petitioner, is proceeding with the process of demolishing the subject constructions pursuant to the notice, dated 23.06.2017. The petitioner is disputing the quantum of amount payable under BRS Scheme. In the legal notice, dated 10.07.2017, it is stated that the BRS for the subject construction was approved in the year 2008 and the amount was already collected in the same year by way of various drafts, as such, the question of demolition does not arise. It is requested by the learned counsel for the petitioner to direct the 2nd respondent to take appropriate decision on the said legal notice, dated 10.07.2017, and to differ further action, pending consideration of the same. This Court considers the said request as reasonable.

Having regard to the facts and circumstances of the case, this writ petition is disposed of, directing the 2nd respondent to consider the legal notice, dated 10.07.2017, said to have been issued by the petitioner and pass

appropriate orders before proceeding further pursuant to the notice, dated 23.06.2017. It is further made clear that till consideration of the contents of the legal notice, dated 10.07.2017, no coercive action in respect of the subject construction shall be taken. No order as to costs.

Miscellaneous petitions, if any, shall also stand disposed of.

A.V. SESA SAI, J

Date: 12.09.2017
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