

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.11324 of 2012

ORDER:

Heard Sri S.Satyam Reddy for petitioners and Sri N.Praveen Kumar for respondent.

The petitioners challenge notice dated 26-03-2012 issued under Section 228(1) and (2) of A.P. Municipalities Act, 1965.

I have perused the affidavit filed by petitioners. *Prima facie*, this court is of the view that the jurisdiction of respondent to issue notice to enquire into the failure to adhere to the set backs is not questioned. Further, the petitioners submitted a representation on 06-09-2011 on the alleged deviations in constructing building pursuant to plan dated 01-12-2009.

On 19-04-2012, this Court directed stay of demolition and the same is subsisting as on date.

This Court is of the view that the challenge to notice Section 228(1) and (2) of A.P. Municipalities Act, 1965 is not convincingly made and in the considered view of this Court, the issue is required to be examined by respondent. Hence, I am satisfied the writ petition can be disposed of by this order.

The petitioner is given four weeks time from today to submit explanation/reply to notice dated 26-03-2012 by enclosing a copy of this order to respondent.

The respondent is directed to examine the explanation/reply and pass orders as are deemed fit and proper in the circumstances of the case within two months from the date of receipt of explanation/reply and communicate the same to petitioners. The interim order dated 19-04-2012 is directed to be maintained for a period of three months from today.

The writ petition is disposed of accordingly. No order as to costs.

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

Dt: 23-01-2017
Prv



S. V. BHATT, J

