

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.28778 of 2013

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner requesting to declare the action of the respondents¹ to 3 in threatening to dispossess the petitioner from the premises bearing Plot No.191/B, Sy.No.205, Sriramnagar Colony, Kondapur Village, Serilingampally Mandal, Ranga Reddy District, without considering the explanation, dated 30.08.2013, given in reply to the show cause notice vide No.UC/TPS/W.No.112/CIR-11/WZ/GHMC, dated 24.08.2013, issued under Sections 452(1) & 461(1) of HMC Act, 1955, as illegal, arbitrary and violative of Article 300-A of Constitution of India and consequently direct the respondents not to proceed with the demolition of the subject property.

2. I have heard *Sri M.Vidya Sagar*, learned senior counsel appearing for the petitioner, and of *Sri Sampath Prabhakara Reddy*, learned Standing Counsel for GHMC. I have perused the material record.

3. At the hearing, the learned counsel for the petitioner would submit that if a direction is given to the respondents to consider the explanation of the petitioner, dated 30.08.2013, and pass appropriate orders in strict accordance with the procedure established by law, the grievance of the petitioner would be redressed and the ends of the justice would be met. Learned counsel for the petitioner would also submit that the interests of

the writ petitioner may be protected till the respondent concerned passes appropriate orders on the explanation of the petitioner.

4. Learned Standing Counsel for the Corporation would submit that the Corporation would pass appropriate orders after considering the explanation of the petitioner and, therefore, the writ petition may be disposed of.

5. Recording the submissions of the learned counsel for both the sides, the Writ Petition is disposed of directing the respondents to consider the explanation, dated 30.08.2013, of the petitioner and pass appropriate orders in strict accordance with the procedure established by law and communicate a copy of the same to the petitioner immediately thereafter. It is made clear that the respondents shall complete the said exercise within two months from the date of receipt of a copy of this order. It is also made clear that the respondents shall not demolish the subject property of the petitioner or take any other coercive steps till an appropriate order that comes to be passed is communicated to the petitioner as directed supra.

Pending miscellaneous petitions, if any, shall stand closed.
There shall be no order as to costs.

JUSTICE M. SEETHARAMA MURTI

April 21, 2017
LMV