

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.21431 OF 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue any writ or direction or order, more particularly in the nature of writ of Mandamus declaring the action of the 2nd respondent in sending the rediffmail dated 06.10.2016 to its subordinates in predetermining the revocation of BPS proceedings even before the issuance of show cause notice for revocation of the regularization of building approval issued by 2nd respondent in proceedings No.BPS/GUD/13/5010115 dated 25.06.2016 without considering explanation of the petitioners dt.21.10.2016 and pursuant thereto attempting to demolish the building of the petitioners as capricious, illegal, arbitrary, colourable, abuse of statutory provisions and devoid of jurisdiction.”

2. After arguing for sometime, learned counsel for the petitioners requested the Court to direct respondent No.5 herein to consider the explanation, dated 17.06.2017, submitted by the petitioners to the notice, dated 20.04.2017, issued by respondent No.5 and pass appropriate orders in accordance with law.

3. Considering the facts and circumstances of the case and the grievance of the petitioners, without going into the merits of the case, respondent No.5 is hereby directed to consider the explanation, dated 17.06.2017, of the petitioners and pass appropriate orders in accordance with law. Till a decision is taken by respondent No.5 on the said explanation, respondent Nos.2 to 4 are directed not to demolish the subject property.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

30.06.2017
AMD



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Date: 30.06.2017

AMD