

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20676 OF 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ order or direction more particularly one in the nature of Writ of Mandamus, declaring that the 2nd respondent without giving opportunity to represent his case and submit his explanation to the final notice dt.02.06.2017 in UC No.1/2017/TPBO is illegal, arbitrary and violation of principles of natural justice and consequently set aside the same.”

2. The main grievance of the petitioner is that respondent No.2 issued the final notice, dated 02.06.2017, without giving an opportunity to her to submit her explanation to the notice, dated 17.02.2017.

3. Heard and perused the material on record.

4. Considering the facts and circumstances of the case and the grievance of the petitioner, without going into the merits of the case, the petitioner is hereby directed to give her explanation to the notice, dated 17.02.2017, within a period of ten (10) days from the date of receipt of a copy of this order and on such explanation being given, respondent No.2 shall consider the same and pass appropriate orders in accordance with law as expeditiously as possible. Till then, the respondents are directed not to demolish the structures in the subject property.

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

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

JUSTICE RAJA ELANGO

Date : 23.06.2017
AMD



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AMD