

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.18456 OF 2017

ORDER:

1. This writ petition is filed by the petitioners apprehending that the respondents may take coercive steps for demolishing the commercial shed of the petitioners bearing H.No.15-9-645 of Kaviraja Nagar, Wyra Road, Khammam, Khammam District, in Sy.Nos.221 and 221/1/AA, Plot Nos.26 to 28 in 1815.16 sq. yards, without issuing any notice.

2. Heard and perused the material available on record.

3. Admittedly, a notice was issued on 25.4.2017 to the petitioners informing that the petitioners made deviations to the sanctioned plan and constructed the building unauthorizedly and that the respondents intend to take action under the HMC Act. It is the case of the petitioners that they filed explanation for the notice issued on 25.4.2017. But the 2nd respondent without considering the explanation passed the orders on 23.5.2017, rejecting the explanation of the petitioners. In the said order, it is stated that action will be taken as per Sections 636, 596, 461(4) and Section 461-A of HMC Act. The learned Counsel for the petitioners submitted that on 29.5.2017, the petitioners filed a review application before the 2nd respondent. But the 2nd respondent has not passed any orders thereon so far.

4. Considering the circumstances of the case and the submissions made by the learned Counsel for the petitioners, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The 2nd respondent is directed to consider and dispose of the review application made by the petitioners as expeditiously as possible. Till then, the respondents are directed not to take any

coercive steps in respect of the constructions made in the property in question.”

5. With the above direction, the Writ Petition is disposed of. No costs.

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

JUSTICE RAJA ELANGO

Dated: 8th June, 2017

Nn.



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