

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7852 OF 2017

ORDER :

The petitioner challenges the show cause notice dated 15.02.2017 issued by the 3rd respondent Zonal Commissioner under Sections 452(1) and 461(1) of the Hyderabad Municipal Corporation Act, 1955.

The case of the petitioner is that he has been making constructions in the land situated in Survey No. 11/Part, Plot No. MIG-74, Ward No. 52, VUDA Phase-III Layout in Pedagantyada Village, Gajuwaka Zone-V, Visakhapatnam, in accordance with the plan approved by the 2nd respondent Commissioner, Greater Visakhapatnam Municipal Corporation. However, the 3rd respondent has issued the show cause notice dated 15.02.2017, for which, the petitioner has dropped his explanation dated 03.03.2017 in the drop box available at the Corporation's Office. Despite the same, the officials of the 2nd respondent have been attempting to demolish the structures.

Heard learned counsel for the petitioner as well as Sri B. Lakshminarayana Reddy, learned Standing Counsel for the respondent Corporation.

What has been challenged in this Writ Petition is only the show cause notice dated 15.02.2017. Since the petitioner claims to have submitted his explanation on 03.03.2017, without considering the same and without passing orders thereon, as mandated under Section 452 (3) of the 1955 Act, it is directed that, the respondent authorities shall not take any coercive steps against the constructions made by the petitioner.

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

Consequently, the miscellaneous Applications, if any are also disposed of.

CHALLA KODANDA RAM, J

08th March 2017

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