

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.24981 OF 2017

ORDER:

This writ petition is filed challenging the proceedings dated 20.07.2017 and 24.05.2017 issued by the 2nd and 5th respondents, respectively, and to set aside the same.

The grievance of the petitioners is that basing on the aforesaid proceedings the respondents are trying to demolish the structures made by the petitioners in survey No.60 & 61, situated at Rameshwaram Banda Village, Patancheru Mandal, Medak District. Aggrieved by the same present writ petition is filed.

Learned counsel for the petitioners submits that without issuing any notice to the petitioners the respondents are trying to demolish the structures made by the petitioners by issuing impugned proceedings, which is in violation of principles of natural justice.

On the other hand Sri G.Narender Reddy, learned Standing Counsel for the 4th respondent produced notice dated 24.07.2017 issued by the Panchayat Secretary to the petitioners asking them to produce permissions if any obtained from the Gram Panchayat/HMDA, and to produce evidence as to why the alleged illegal constructions shall not be demolished, within three days.

Heard Sri Y.Rama Rao, learned Standing Counsel for the 5th respondent, who submits that 'Sarpanch' has signed the lay out who is not competent and the same is disputed by the learned counsel for the petitioners stating that Gram Panchayat has granted permission.

Learned counsel for the petitioners submits that sufficient time may be granted for submitting explanation and till then *Status quo* shall be maintained.

The grievance in the writ petition is that without issuing notices, the respondents are trying to demolish the constructions made by the petitioners. In view of the issuance of notice the grievance of the petitioners stood redressed as the respondents have already issued notice to the petitioners for which the petitioner has to submit explanation. But, in the notice dated 24.07.2017 produced by the learned counsel for the 4th respondent, three days time was granted to the petitioners to submit evidence and explanation.

In view of the above, the petitioner is granted two weeks time from today to submit explanation to the notice dated 24.07.2017, and after submission of explanation by the petitioners, the 4th respondent is directed to consider the same after according opportunity of hearing to the petitioners and pass orders. Till then, *Status quo* obtaining as on today shall be maintained by both the parties. If petitioners fail to submit explanation within the aforesaid stipulated period, it is open for

the respondent authorities to take appropriate action, in accordance with law.

With the above direction, the writ petition is disposed of.
No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

28.07.2017

Note: Issue cc by 28.07.2017.

B/o. t k.

