

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.32260 of 2017

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader and Sri Laxminarayana Reddy for the respondent Municipality.

Petitioner claims to be the absolute owner of the property admeasuring 143 square yards of vacant site situated at Sy.No.43/6 of Maddilipalem Village, Visakhapatnam, having purchased the same from one Yellapu Raghu vide document No.981 of 2013, dated 10.01.2013. It is further stated that after purchasing the said property, petitioner submitted an application for construction of a building with ground floor and first floor and the respondent authorities sanctioned the same on 18.07.2013.

The respondent Municipal Corporation on 18.08.2017 issued a notice under Section 452 of the Hyderabad Municipal Corporation Act, 1955 to show cause as to why the alleged deviations made against the approved plan should not be pulled down. In response to the said notice, the petitioner submitted his explanation on 04.09.2017.

The grievance of the petitioner in the present writ petition, as stated by the learned counsel, is that without passing any orders on the said explanation, the respondent authorities are frequently visiting the subject building and threatening with the action of demolition.

Having heard the learned counsel for the petitioner and the learned Standing counsel, this Court deems it appropriate to dispose of the writ petition with a direction to the 2nd respondent Corporation to pass appropriate orders on the show cause notice, dated 18.08.2017, by taking into consideration the explanation, dated 04.09.2017, said to have been submitted by the petitioner, within a period of four weeks from the date of receipt of this order, after hearing the petitioner. Till then, no coercive action pursuant to the show cause notice, dated 18.08.2017, shall be taken.

The writ petition is accordingly disposed of.

Miscellaneous petitions, if any, shall also stand disposed of. There shall be no order as to costs.

Date: 21.09.2017
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A.V.SESHA SAI, J