

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

**WRIT PETITION Nos.11544, 11553, 11561, 11576,
11595, 11613, 11629, 11632, 11643, 11687,
11707 and 11710 of 2017**

COMMON ORDER:

Since the issue involved in these writ petitions is one and the same, they are being disposed of by this common order.

2. In all these writ petitions, the petitioners are aggrieved by the impugned notices dated 27.02.2017 issued by respondent No.2 – Municipality, alleging that they are unauthorisedly occupying the road margin. Petitioners further submit that the impugned notices are vague as they have inherited the subject property situated at Guntakal Road, Gooty Town, Anantapur District, from their ancestors, who had constructed houses thereat in terms of the sanctioned plan issued by the Gram Panchayat. It is only Gram Panchayat was converted into Municipality in the year 2014. Inasmuch as the petitioners had obtained permission from Gram Panchayat, it cannot be said that the constructions are illegal.

3. Sri M.D. Saleem, learned Standing Counsel for respondent No.2, submits that respondent No.2- Municipality shall consider the explanations that would be submitted by

the petitioners and, only thereafter, necessary action would be taken in accordance with law.

4. In the light of the submissions of the respective parties, liberty is given to the petitioners to submit their explanations within two weeks from the date of receipt of a copy of this order, and the same shall be considered by respondent No.2 - Municipality, in accordance with law, and if the explanations are found not satisfactory, necessary action be taken in accordance with law. Respondent No.2 - Municipality shall not take any coercive steps till orders are passed, after considering the explanations submitted by the petitioners.

5. The Writ Petitions are, accordingly, disposed of. No order as to costs.

6. Miscellaneous petitions, if any, pending in these writ petitions shall stand closed.

JUSTICE CHALLA KODANDA RAM

03.04.2017.

Msr

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