

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7689 OF 2017

ORDER :

This Writ Petition is filed challenging the order dated 25.02.2017 passed by the 2nd respondent Deputy Commissioner, Greater Hyderabad Municipal Corporation, Circle No. XI, under Section 461-A of the Hyderabad Municipal Corporation Act, 1955.

Under the impugned order, the Deputy Commissioner has directed to seal the building situated in an extent of 847 square yards in Survey No. 131/1/E of Khajaguda Village, Serilingampally Mandal, Ranga Reddy District, on the sole ground that the petitioner has not submitted any reply to the show cause notice dated 14.02.2017.

Learned counsel for the petitioner submits that immediately after receiving the show cause notice dated 14.02.2017, his client has submitted explanation dated 20.02.2017 through Registered Post, which, in fact, reached the 2nd respondent on 22.02.2017. Despite the same, the impugned order records that no reply has been submitted by the petitioner.

Learned Standing Counsel for the 2nd respondent fairly submits that the impugned order may be set aside with a direction to the 2nd respondent to consider the explanation submitted by the petitioner and pass appropriate orders thereon.

In the fact situation, the Writ Petition is allowed setting aside the order dated 25.02.2017, giving liberty to the 2nd respondent to pass appropriate orders after considering the explanation submitted by the petitioner on 20.02.2017. Till such time, it is

directed that no coercive action be taken against the petitioner's property. No costs.

Consequently, the miscellaneous Applications, if any shall stand disposed of.

CHALLA KODANDA RAM, J

06th March 2017

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