

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 2707 OF 2017

ORDER :

The grievance of the petitioner is that the respondents are trying to remove the sign-board erected on the premises of shop No. 1, Gayatri Towers, Opposite to Old Bus Stand, Vijayawada, without following the due process.

On 25.01.2017, when the matter came up for admission, this Court directed the respondents not to remove or destroy the sign-board erected on the shop of the petitioner, for two weeks.

Today, the learned Standing Counsel appearing for Vijayawada Municipal Corporation submits that the petitioner has erected the sign-board projecting on to the road and further, the said portion of the road is also proposed to be widened. However, he fairly admits that no notice was given to the petitioner, as is required under Sections 397 and 399 of the Hyderabad Municipal Corporation Act, 1955.

In those circumstances, the respondents are directed to follow the due process, as enjoined under the Hyderabad Municipal Corporation Act, 1955, as applicable to Vijayawada Municipal Corporation. The respondents shall issue a notice to the petitioner, in terms of the provisions of the Act, calling for its explanation. If the respondents are not satisfied with the explanation submitted by the petitioner, they may take appropriate action after giving it one opportunity to rectify the violation. Till then, the respondents shall not take any coercive steps by removing the sign-board erected by the petitioner.

With this, the Writ Petition stands disposed of. No costs.

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

CHALLA KODANDA RAM, J

09th February 2017

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