

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

WRIT PETITION No.25812 of 2017

ORDER:

Heard the learned counsel for the petitioner and Sri Chatla Madhu, learned Standing counsel for the respondent Corporation.

The alleged action on the part of the respondent authorities in seeking to demolish the residential house bearing Plot No.352 in Sy.Nos.400 and 401, Shiva Nagar, Kanajiguda, Alwal, Hyderabad, pursuant to the notice, dated 10.07.2017, is under challenge in the present writ petition.

According to the petitioner, he purchased the subject house plot in the location mentioned supra in the year 2015 from one Smt. Kalavathi by way of a registered sale deed bearing document No.3790 of 2015, dated 15.12.2015. It is submitted that the petitioner, after purchase, filed application, dated 19.07.2017, for regularization of the said property and the respondent Corporation issued notice, dated 10.07.2017, under Sections 452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955, asking the petitioner to stop the work at the site forthwith and to show sufficient cause by way of a statement in writing. It is further submitted that the plot number shown in the said notice is 351, but the property purchased by him is in plot No.352. It is pleaded that he informed the said discrepancy to the respondents, but the respondents, without considering the same, came to the spot on 27.07.2017 and demolished the front portion of the construction.

Admittedly, in the present writ petition the petitioner did not submit any explanation in response to the notice, dated 10.07.2017, and when the matter is called, it is submitted by the

learned Standing counsel, on instructions, that if any explanation is submitted by the petitioner even now, the same will be considered and further action be taken in accordance with law.

In view of the above submission of the learned Standing counsel, the writ petition is disposed of permitting the petitioner to submit his explanation within a period of two weeks from the date of receipt of a copy of this order and if any such explanation is submitted within the time stipulated, the same shall be considered and appropriate action shall be taken in accordance with law. Till the said exercise attains finality, no coercive action shall be taken in respect of the construction of the petitioner pursuant to the notice, dated 10.07.2017. No order as to costs.

Miscellaneous petitions, if any, shall also stand disposed of.

Date: 03.08.2017
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A.V.SESHA SAI, J

