

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

WRIT PETITION No.28718 of 2017

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development (Telangana) for respondent No.1, learned Standing Counsel for respondent Nos.2 and 3 and Sri N.Praveen Kumar, learned counsel for respondent No.4.

2. In the present writ petition, the challenge is to the notice bearing No.TPS/UC/70/2017-18, dated 29.07.2017, issued by the fourth respondent under Section 228 (1)(2) of the A.P. Municipalities Act, 1965 and Sections 41, 42 & 43(1) of the A.P. Urban Area Development Act, 1975. By way of the impugned notice, the fourth respondent called upon the petitioner to show cause as to why the alleged deviated portion/unauthorized construction should not be removed.

3. According to the petitioner, in response to the said show cause notice, he submitted an explanation on 08.08.2017. In the above background, the grievance of the petitioner is that without considering the said explanation, the respondents are trying to proceed further with the process of demolition.

4. Learned counsel for the petitioner submitted that no final orders have been passed by the respondents on the explanation submitted by the petitioner on 08.08.2017.

5. Having heard both sides, this Court deems it appropriate to dispose of the present writ petition with a direction to the respondents herein to consider the explanation dated 08.08.2017 said to have been submitted by the petitioner herein, in response to

the show cause notice dated 29.07.2017 issued by the fourth respondent, and pass final orders thereon in accordance with law after hearing the petitioner. Till the said exercise attains finality, no coercive action shall be taken by the respondents against the petitioner pursuant to the impugned notice of the fourth respondent dated 29.07.2017.

6. Accordingly, the writ petition is disposed of. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

Date: 28.08.2017
TJMR

A.V. SESA SAI, J

