

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.11414 OF 2010

ORDER:

The proceedings under challenge in this Writ Petition is the notice issued under Section 636 of the GHMC Act directing the petitioner to remove the unauthorised construction of the compound wall and tin shed rooms in premises Plot No.6 in Sy. No.125 situated at Kothapet village within three days from the date of receipt of the notice.

This Court, by order in WPMP No.14492 of 2010 in W.P. No.11414 of 2010 dated 12.05.2010, granted interim suspension as prayed for, which is to direct the respondents not to demolish the tin shed room constructed by the petitioner during the pendency of the Writ Petition.

As the petitioner's grievance in this Writ Petition is that the notice, under Section 636 of the GHMC Act, was issued without taking note of their reply to the earlier notice, by their letter dated 25/29.01.2010, suffice it to dispose of the Writ Petition directing the Deputy Commissioner, GHMC to consider the petitioner's representation dated 25/29.01.2010, pass orders thereupon, and thereafter take action in accordance with law. The petitioner shall, within two weeks from today, submit a copy of the said representation along with its enclosures to the Deputy Commissioner who shall, within four weeks from the date of receipt of a copy of the petitioner's representation, pass a reasoned order thereupon; and thereafter, if need be, take action under Section 636 of the GHMC Act. Needless to state that, in case the petitioner does not submit a representation as aforementioned, it would then be open to the GHMC to proceed and

take action against them in accordance with law. Till orders are passed, as aforementioned, the Section 636 notice shall not be given effect to.

The Writ Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 17.11.2017.

Note: Issue copy by 20.11.2017
B/o
MRKR

