

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.8395 OF 2017

ORDER:

The writ petition is filed questioning the action of the 2nd respondent-Deputy Commissioner, in issuing the show cause notice dated 21.02.2017, for demolition and interfering in construction of the petitioner's building in Plot No.196, Nallagandla Village, Sherilingampally, Ranga Reddy District.

It is the case of the petitioner that the 2nd respondent-Deputy Commissioner, had issued a show cause notice dated 21.02.2017, under Section 452(1) and 462(1) of the Hyderabad Municipal Corporation Act, 1955 (for short, "the Act"), alleging that the petitioner is constructing his house violating the sanctioned plan.

Learned counsel for the petitioner submits that the petitioner has already submitted his explanation on 04.03.2017 to the impugned show cause notice issued by the 2nd respondent, but the respondent authorities even without passing any orders on the explanation, interfering with the constructions of the petitioner.

On the other hand, learned standing counsel for the 2nd respondent Corporation, on instructions, submits that the petitioner has not only violated the sanctioned plan and made deviations and only for that reason, the impugned notice has been issued to him. However, he would submit that the explanation submitted by the petitioner would be considered and necessary orders would be passed.

Having considered the respective submissions and considering the facts and circumstances of the case, the writ petition is disposed of with a direction to the respondent authorities to consider the explanation dated 04.03.2017, submitted by the petitioner and pass appropriate orders, in accordance with law, within a period of two weeks from the

date of receipt of copy of this order. If the respondents are not satisfied with the explanation submitted by the petitioner, the respondent authorities may take necessary action in accordance with the provisions of the Act. However, it is made clear that that the petitioner shall not make any further constructions deviating the sanctioned plan.

With the above direction, the writ petition is disposed of. No order as to costs.

Miscellaneous Petitions pending, if any, in this writ petition shall stand closed.

CHALLA KODANDA RAM,J

Date:13.03.2017.

Note:

Dispatch the CC forthwith.

B/o.Gk



THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.8395 OF 2017

Date:13.03.2017

Gk

