

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.846 OF 2012

ORDER:

The petitioner challenges Notice No.5/2012 dated 19.01.2012 issued by Pydiparru Gram Panchayat, Tanuku Mandal, West Godavri District as illegal and violative of principles of natural justice.

Mr.Chimalapati Ravi appearing for respondent submits that the respondent has been merged with Tanuku Municipality.

I have seen the notices dated 06.01.2012 and 09.01.2012 and *prima facie* I am satisfied that without affording reasonable opportunity, the order for removing alleged unauthorised construction has been passed by respondent. Since the respondent is merged with Tanuku Municipality, having regard to the interim order dated 12.01.2012, I am satisfied that the writ petition can be disposed of by this order:

The notice dated 09.01.2012 is set aside as violative of principles of natural justice and not affording fair and reasonable opportunity to petitioner. Since unauthorised construction is alleged against the petitioner, it is left open to Tanuku Municipality to proceed in accordance with law. The *status quo* granted by this Court on 12.01.2012 shall remain in operation till an order is passed and communicated by Municipality in favour of petitioner.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT,J

Date:20.02.2017
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