

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 37056 OF 2017

ORDER:

This writ petition is filed seeking writ of mandamus declaring the action of the 5th respondent in issuing impugned notice dated 30.10.2017 directing the 1st petitioner to remove the constructions made over the subject property, as illegal and arbitrary and consequently to direct the respondents to forbear from demolishing the same.

Heard learned counsel for the petitioners, learned Assistant Government Pleader for Panchayat Raj for respondents 1 to 4 and Sri G.Narender Reddy, learned Standing Counsel for 5th respondent.

Though this Court, by order dated 01.08.2017 in W.P.No.24182 of 2017 disposed of directing the respondents to issue appropriate notices to the petitioner and give an opportunity to submit his objection and after considering his objections, take action accordingly, but without doing so, the present impugned notice was issued.

A perusal of the impugned notice dated 30.10.2017 does not reflect the issuance of any prior notice.

In view of the same, the impugned notice shall be treated as show-cause notice and it is for the petitioners to submit explanation to the same, within a period of two weeks

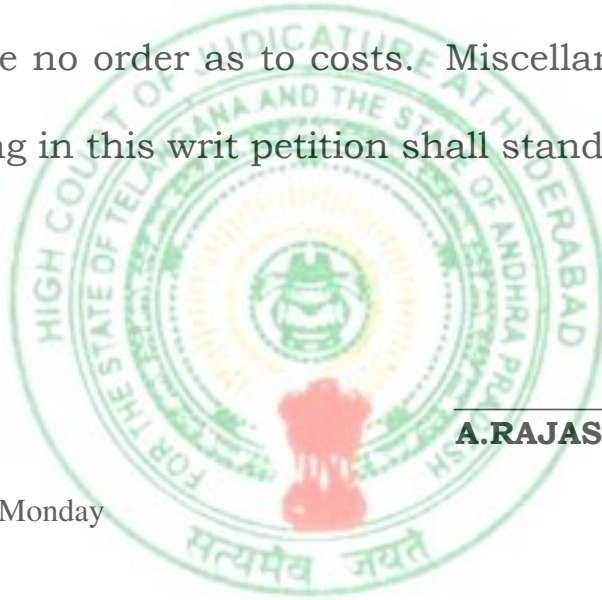
from the date of receipt of a copy of this order. On such explanation, the respondents are directed to pass appropriate orders, in accordance with law. If the petitioner fails to file explanation within the stipulated period, it is open for the respondents to take action in accordance with law. Till passing of final orders by the respondents, there shall be stay of impugned proceedings of the 5th respondent dated 30.10.2017 in respect of the subject property.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of.

03-11-2017

Note: Issue CC by Monday

B/o.kvs



A.RAJASHEKER REDDY,J

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Date: 03.11.2017

kvs

