

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.36464 of 2017

ORDER:

In this Writ Petition, under Article 226 of the Constitution of India, the grievance of the petitioner is that the 2nd respondent Municipal Corporation is making attempts to demolish the structures in the petitioner's subject property without following the procedure established by law and that the officers of the Municipal Corporation came to the property and made markings on the property of the petitioner for demolition in order to implement the stand of the Municipality with regard to proposal of road widening.

2. I have heard the submissions of the learned counsel for the petitioner, and of the learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent and of Sri A. Pandu Ranga Rao, learned Standing Counsel appearing for the 2nd respondent. I have perused the material record.

3. Learned Government Pleader for the 1st respondent and Sri A. Pandu Ranga Rao, learned Standing Counsel appearing for the 2nd respondent - Municipal Corporation, Guntur, would submit that for mere making markings on the properties for proposed road widening, no notice need be issued, as issuance of such notice is not contemplated under the provisions of the Hyderabad Municipal Corporation Act. However, learned Standing Counsel submits, on instructions, that if any further action for demolition of the property of the petitioner is necessary, the 2nd respondent Municipal Corporation would follow the due procedure established by law.

4. Recording the submissions, the Writ Petition is disposed of directing the 2nd respondent not to take any coercive steps or action with regard to the subject property of the writ petitioner, except in strict accordance with the procedure established by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE M. SEETHARAMA MURTI

Date: 1st November, 2017

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