

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.43667 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking verbatim the following the relief:

“...to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the notice No.24/ UC/ W No.114/ CIR-23/ WZ/ GHMC dated 29.11.2017, 07.12.2017 and 18.12.2017 issued by the 3rd respondent as illegal, arbitrary and in violation of principles of natural justice and consequently set aside the above notice and direct the respondents not to demolish the Flat No.LIG-19/ 3 and 19.4, Phase III, KPHB Colony, Hyderabad and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

2. Learned counsel for the petitioner points out that the notices impugned are defective both for factual and legal reasons and that the notices are issued without following the procedure established by law.

3. Learned standing counsel for GHMC representing the respondents 2 & 3 would submit that the respondents 2 & 3 would initiate fresh action by following the procedure established by law.

4. Recording the afore-stated submissions, the Writ Petition is allowed and the impugned notices are set aside, however, reserving liberty to the respondents 2 & 3 to initiate action afresh in strict accordance with the procedure established by law. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

M. SEETHARAMA MURTI, J

20.12.2017
Vjl