

The Hon'ble Sri Justice M.Seetharama Murti

Writ Petition No.44182 of 2017

Dated 22.12.2017

Order:

This Writ Petition is filed seeking the following relief:

“to issue order, direction more particularly one in the nature of writ of Mandamus declaring the action of respondent Nos.1 and 2 in trying to demolish the petitioners’ apartment in pursuance of notice under Section 406 of the GHMC Act, dt.15-12-2017, as illegal, arbitrary, highhanded, violative of principles of natural justice, violative of Article 14, 300-A of Constitution of India and consequently, direct the respondents not to take any coercive measures including removal of structures of Latha Residency Plot No.7 and 27 situated at Deepthi Sreenagar, Chandanagar, Serilingampally Mandal, Ranga Reddy District.”

(Reproduced verbatim)

Mr.Sampath Prabhakar Reddy, learned Standing Counsel for Greater Hyderabad Municipal Corporation, appearing for the respondents, submitted that the petitioners did not submit their explanation to the impugned notice proposing steps for demolition of the subject property and that they have straight away approached this Court.

Learned Counsel for the petitioners, in reply, would submit that the petitioners will submit their explanation to the impugned notice. He would further submit that if the said

explanation is directed to be considered and disposed of in accordance with the procedure established by law and till then, the 2rd respondent- Municipal authority is directed not to take any steps for demolition of the subject property, the ends of justice would be met.

Mr.Sampath Prabhakar Reddy, learned Standing Counsel appearing for the respondents, endorses the said submissions.

Recording the above submissions, the Writ Petition is disposed of directing the petitioners to submit an explanation to the impugned notice within one week from the date of receipt of a copy of this order and further directing the 2rd respondent- Municipal authority to consider and dispose of the said explanation in strict accordance with the procedure established by law, however, within four weeks from the date of receipt of such explanation and communicate the decision taken thereon to the petitioners within a week thereafter. It is made clear that till such exercise is completed, no coercive steps for demolition of the subject property shall be taken by the respondents and no further constructions shall be made thereon by the petitioners. Both the parties shall maintain absolute *status quo* till then.

As a sequel to disposal of the Writ Petition, Miscellaneous
Petitions, pending if any, stand disposed of as infructuous.

(M.Seetharama Murthi, J)

Dt: 22nd December, 2017
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