

The Hon'ble Sri Justice M.Seetharama Murti

Writ Petition No.44181 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 notice of 3rd respondent dated 15-12-2017, vide No.TPS/Cir-21/WZ/GHMC/2017, as illegal, arbitrary and contrary to the provisions of the Greater Hyderabad Municipal Corporation and Rules made thereunder apart from violation of principles of natural justice and Article 21 of Constitution of India and set aside the same and consequently direct the respondents their officials and staff not to demolish the premises No.6-23/1 on Plot No.23 admeasuring 100.0 Sq.yards covered by HUDA lay out, in Survey Nos.119 to 124 and 130 to 140, situated at Hafeezpet Village (Miyapur), Serilingampally Mandal, Ranga Reddy District.”

(Reproduced verbatim)

Learned Counsel for the petitioner would submit that the petitioner has submitted his explanation, dated 20-12-2017, to the impugned notice proposing steps for demolition of the subject property. He would further submit that if a direction is given to consider and dispose of the said explanation in accordance with the procedure established by law and till then, the 3rd 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 for Greater Hyderabad Municipal Corporation appearing for respondent Nos.2 and 3, endorses the said submissions.

Recording the above submissions, the Writ Petition is disposed of directing the 3rd respondent- Municipal authority to consider and dispose of the petitioner's explanation, dated 20.12.2017, in strict accordance with the procedure established by law, however, within four weeks from the date of receipt of a copy of this order and communicate the decision taken thereon to the petitioner 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 petitioner. 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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