

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.380 of 2018

ORDER:

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

“....it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or direction more particularly Writ of Certiorari calling for the records relating to the impugned notice issued by the Deputy Commissioner Circle No.24, GHMC, Panga Reddy, 3rd respondent in proceedings No.R15/ TPS/ Cir-24/ WZ/ GHMC/ 2017, dt.30.10.2017 and quash the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

[Reproduced verbatim]

2. I have heard the submissions of *Sri K.Ramesh Babu*, learned counsel appearing for the petitioner; learned Government Pleader for Municipal Administration & urban Development appearing for the 1st respondent, and of *Sri Sampath Prabhakar Reddy*, learned Standing Counsel appearing for the respondents 2 to 4. I have perused the material record.

3. Learned counsel for the petitioner would submit that the petitioner would offer an explanation to the notice, dated 30.10.2017, which is impugned in the writ petition. He further requests the Court to permit the petitioner to do so and direct the Corporation to consider and dispose of the same and protect the interests of the petitioner till such exercise is completed.

4. Learned standing counsel appearing for the respondents 2 to 4 endorses the said submission.

5. Recording the aforesaid submissions, the Writ Petition is disposed of giving liberty to the petitioner to offer an explanation to the notice, dated 30.10.2017, within one week from the date of receipt of a copy of this order.

On the petitioner making such representation, the 3rd respondent shall consider and dispose of the same in strict accordance with the procedure established by law, however, within two weeks from the date of receipt of such representation, 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 action shall be taken by the respondents in respect of the subject property of the petitioner. It is further made clear that if no such representation is received, the authorities of the respondent Corporation are at liberty to proceed further in the matter related to the subject property, however, 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.

05.01.2018

Note:- Issue CC in three days
(B/o)
RAR

M.Seetharama Murthi, J