

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.2567 of 2018

ORDER:

The 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 30.10.2017 in file No.L-9/TPS/Cir-24/WZ/GHMC/2017 as illegal, Arbitrary and contrary to the provisions of The Greater Hyderabad Municipal Corporation and Rules made there under 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 house bearing No.4-32-1141, on plot No.A-242 admeasuring 125 sq. yards, in survey No.336 of Kukatpally Village, Balanagar Mandal, Ranga Reddy District and to pass such further order or orders as are necessary in the interest of justice and to pass such further order or orders as are necessary in the interest of justice.”

(Reproduced verbatim)

2. Learned counsel for the petitioner would submit that the petitioner has submitted his explanation, dated 09.01.2018, to the impugned notice proposing steps for demolition of the subject property. He would further submit that if the said explanation is considered and disposed of in accordance with the procedure established by law; and, till then, if a direction is given to the 3rd respondent-Municipal authority not to take any steps for demolition of the subject property, the ends of justice would be met.

3. Mr. Sampath Prabhakar Reddy, learned Standing Counsel for Greater Hyderabad Municipal Corporation appearing for respondent Nos.2 and 3, endorses the said submissions.

4. Recording these submissions, the Writ Petition is disposed of directing the 3rd respondent-Municipal authority to consider and dispose of the petitioner's explanation, dated 09.01.2018, 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 existing *status quo* till then.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

30th January 2018

mar

Dr. B. SIVA SANKARA RAO, J