

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION Nos.5468 & 5469 of 2018

COMMON ORDER:

Heard learned counsel for the petitioners in both the matters, learned Government Pleader for Municipal Administration for respondent No.1 and Sri A. Pandu Ranga Rao, learned Standing Counsel for the 2nd respondent from the oral instructions and perused the respective prayers in the writ petitions with the supporting affidavits.

It is the submission of the learned counsel for the petitioners respectively that straightaway notice is issued under Section 636 of GHMC Act 1955 (for short 'the Act') and there is no notice is issued under Section 452 of the Act with opportunity of submitting explanation for the alleged violation of deviation to the construction in question.

Instead of allowing the Writ Petition with any interim order, interest of justice would be served by its disposal by treating the present notice as notice under Section 452 of the Act by giving liberty to the petitioners to submit their explanation within one week from the date of receipt of this order in both the writ petitions and the respondents to consider and pass appropriate orders, if necessary by issuing fresh notice under Section 636 of the Act therefrom and proceed further according to law. In the meantime, no coercive steps to be taken by the respondents.

With the above observations, both the Writ Petitions are disposed of.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 20.02.2018
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