

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.7586 of 2018

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration for respondent No.1 and Sri S.Lakshmi Narayana Reddy, learned Standing Counsel for respondent No.2 from the oral instructions and perused the prayer in the writ petition with the supporting affidavit.

Undisputedly for the notice issued under Sections 452 & 461(1) of the GHMC Act, 1955 dated 01.03.2018, the petitioners have to submit if not already submitted their explanation since in the notice 7 days time is given and the respondents have to pass a reasoned order considering the explanation and if at all in passing any order from any requirement to issue further Section 636 notice in giving time for demolition if any.

Having regard to the above, this Writ Petition is disposed of directing the respondents to consider the explanation if submitted else to submit within one week from today by the petitioners and pass appropriate order and communicate the same to the petitioners before passing any further orders under Section 636 of the Act if any. So far as the pending suit in O.S.No.10 of 2018 on the file of Principal Junior Civil Judge, Bheemunipatnam concerned, the remedy is left open to the petitioners if at all to get any interim order to decide on own merits therein. The respondents shall not demolish the existing structure of the petitioners for a period of one month and the petitioners shall not make any further construction.

Having regard to the above, this Writ Petition is disposed of.

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

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 08.03.2018
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