

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.2327 of 2012

ORDER:

The relief sought for, in this Writ Petition, is to declare the action of the respondents in contemplating to demolish the petitioner's building, and the further inaction of the Corporation in removing the illegal hoardings/cut outs which are erected in front of the petitioner's building, as arbitrary and illegal.

It is the petitioner's case that one Sri Jakeer had put up a hoarding covering the front portion of the petitioner's building without permission from the Municipal Corporation; despite their having approached the authorities concerned, for removal of the hoardings, no action was taken by the respondent-officials; and, instead, officials of the corporation were contemplating to demolish the petitioner's building. By way of an interim order, passed on 01.02.2012, the respondents were directed not to take any action against the construction made by the petitioner without following the due process of law. The petitioner was also directed not to make any further construction.

The aforesaid interim order has been in force for the past six years. Suffice it, therefore, to dispose of the Writ Petition in terms of the interim order; and direct the respondents not to demolish the subject structures without putting the petitioner on notice, and without giving him an opportunity of being heard. In case they propose to take action against the petitioners, the respondent-officials shall strictly abide by the provisions of the GHMC Act, and the Rules made thereunder. The petitioner shall also not make any further

construction, without obtaining prior written sanction from the Municipal Corporation.

The Writ Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 02.05.2018
MRKR

