

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.17902 of 2018

ORDER:

Heard the learned counsel for the petitioners and Sri M.Balaji for the second respondent Municipal Corporation.

2. Second respondent Municipal Corporation herein issued a notice bearing U.C.No.03/2018 dated 07.05.2018 under Section 452 (1) of HMC Act, 1955 read with Section 115 (1) and (2) of APCRDA Act, 2014, calling upon the petitioners herein to show-cause as to why alleged deviations indicated therein should not be ordered to be removed.

3. According to the petitioners they submitted an explanation dated 14.05.2018 to the said show-cause. The respondent Corporation vide impugned notice dated 15-05-2018 bearing U.C.No.03/2018 issued under Section 452 (2) of HMC Act, 1955 read with Section 115 (4) of APCRDA Act, 2014, directed the petitioners herein to remove the alleged deviations indicated in the show-cause notice within 24 hours. The said notice for removal of constructions dated 15.05.2018 is under challenge in the present writ petition.

4. According to the affidavit filed in the writ petition, on 12.05.2018 one notice was served on the petitioners by directing to submit reply to the notice within seven days and though the petitioners submitted their reply on 14.05.2018, the second respondent issued the impugned notice dated 15.05.2018 without considering the said reply.

5. Having heard the learned counsel for the petitioner and the learned Standing Counsel for the second respondent Municipal Corporation and having regard to the nature of the controversy, this Court deems it

appropriate to direct the respondents herein to consider the reply dated 14.05.2018 submitted by the petitioners herein and pass appropriate orders. Within a period of one week from the date of receipt of this order, petitioners herein are directed to submit a copy of the above said reply also. Till the final order is passed, there shall not be any coercive action against the subject constructions.

6. Writ petition is accordingly disposed of. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date:14.06.2018
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A.V.SESHA SAI, J



THE HON'BLE SRI JUSTICE A.V.SESHA SAI



W.P.No.17902 of 2018

Dated: 14.06.2018

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