

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

W.P.No.18897 of 2018

ORDER:

Heard the learned counsel for petitioner and the learned counsel appearing for Respondents.

2. It is submitted by the learned counsel for the petitioner that without being preceded by any show cause notice, the Commissioner, Kurnool Municipal Corporation issued impugned notice dated 21.5.2018, directing the petitioner to remove the constructions.

3. On the other hand, it is submitted by the learned Standing Counsel appearing for 2nd Respondent Municipal Corporation Sri S.D.Gowd that the impugned notice dated 21.5.2018 may be directed to be treated as show cause notice and the petitioner can be given an opportunity to file explanation and if any such explanation is filed by the petitioner, the same will be considered and appropriate orders will be passed in accordance with law.

4. Recording the said statement, the writ petition is disposed of, directing the notice bearing Rc.No.2766/2007/G2 dated 21.5.2018 issued by the 2nd respondent be treated as show cause notice and the petitioner is entitled to submit his explanation to the same within a period of two weeks from the date of receipt of this order and if any such explanation is filed, the same be considered and appropriate orders be passed in accordance with law, after giving opportunity to the petitioner. Till the said exercise attains finality, Status quo with regard to subject construction shall be maintained. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

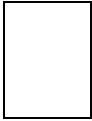
Date: 7.6.2018

Note:

Office to Issue C.C. forthwith.

B/o

DA



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