

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION Nos. 22342, 22375, 22376, 22377, 22378, 22379

and 22380 of 2007

COMMON ORDER:

Since the issue raised in all these writ petitions is one and same, all these writ petitions are heard together and they are being disposed of by this common order.

2. All the writ petitions are filed seeking a writ of mandamus to declare the notices dated 12.10.2007 issued by the 3rd respondent calling upon the petitioners to submit explanations as to why the buildings mentioned in the notices should not be closed for public/general use as they were constructed without prior permission/authorization and also without any technical approval from the competent authority, as without jurisdiction, null and void, ab initio, and violative of Articles 14, 19 (1) (a), 19 (1) (g) and 300-A of the Constitution of India and the principles of natural justice. A consequential direction is also sought to restrain the respondents from taking any action, pursuant to the said notices.

3. Heard Sri B. Nalin Kumar, learned counsel for the petitioners, and the Government Pleader for Panchayat Raj (Telangana) appearing for the respondents.

4. When the writ petitions came up for admission, on 23.10.2007, this Court, while admitting the writ petitions, granted interim

suspension of the impugned notices, and by virtue of the interim orders, the 3rd respondent had not interfered with the affairs of the petitioners.

5. When the matters are taken up for hearing today, learned counsel for the petitioners has submitted that ends of justice would be met, if the matters are remanded back to the 3rd respondent to pass appropriate orders by duly taking into account the explanations submitted by the petitioners on 20.10.2007.

6. Having considered the submissions made by the parties and in the facts and circumstances of the cases, all the matters are remanded back to the 3rd respondent with a direction to pass appropriate orders by duly taking into account the explanations dated 20.10.2007 submitted by the petitioners to the impugned notices. The petitioners are permitted to submit additional explanations, if any, along with documentary proof, within two (2) weeks from the date of receipt of a copy of this order, and upon such receipt of additional explanations, the 3rd respondent shall consider the same and pass appropriate orders within eight (8) weeks thereafter. Pending final orders to be passed by the 3rd respondent, status quo subsisting as on today shall be maintained.

7. Accordingly, all the writ petitions are disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions if any pending in the writ petitions shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

20th April, 2018
cbs



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(disposed of)

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