

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

W.P.No.25121 of 2018

ORDER:

Heard the learned counsel for the petitioner and Sri Sampath Parabhakar Reddy, learned Standing Counsel for the respondent Municipal Corporation.

2. The complaint of the petitioner in the present writ petition is that the third respondent herein issued a showcause notice vide Ref.No.09761/TPS/GHMC/C21/2018 under Section 452 of the Hyderabad Municipal Corporation Act, 1955 on 05.07.2018 and the same was received by the petitioner on 15.07.2018 and that without even waiting for submission of the explanation by the petitioner herein who are the sons of one late Sri N.Yadaiah, the respondent authorities are trying to demolish the structures.

3. On the other hand, it is submitted by the learned Standing Counsel for the respondent Municipal Corporation that after obtaining permission from the Municipal Corporation vide Permit No.3/C12/12323/2017, dated 12.12.2017, the petitioner herein completed construction of Stilt plus three floors and also obtained Occupancy Certificate from the Municipal Corporation and on 12.12.2018 got the mortgage released. It is further submitted by the learned Standing Counsel that the petitioners herein are proceeding further with the construction in an unauthorized and illegal manner.

4. Having heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent Municipal Corporation, this Court in the facts and circumstances of the case, deems it appropriate to dispose of

the writ petition, keeping it open for the petitioner herein to submit explanation to the show-cause notice dated 05.07.2018 issued by the third respondent under Section 452 of the GHMC Act, within a period one week from today. If any explanation is submitted by the petitioner, the respondents to consider the same and take appropriate action, strictly in accordance with law. It is made clear that till the orders are passed, no coercive action pursuant to the impugned notice shall be taken. It is also made clear that the petitioner herein shall not make any further constructions in the subject premises. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date:19.07.2018
grk



A.V.SESHA SAI, J



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



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Dated: 19.07.2018

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