

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

W.P.No.25354 of 2018

ORDER:

Heard the learned counsel for the petitioner and Smt M.Bhagyasree, learned Standing Counsel for the second respondent Corporation.

2. A show cause notice bearing No.TP BO IV/2018, dated 12.07.2018, issued by the second respondent under Section 452 (1) and 461 (1) of the HMC Act, 1955 is under challenge in the present writ petition.

3. When the matter is taken up, it is submitted by the learned counsel for the petitioner that in the guise of the impugned show-cause notice the respondents are attempting to remove the subject structures even before the expiry of the time for filing reply as indicated in the show cause-notice.

4. A perusal of the impugned notice clearly discloses that the respondent Corporation gave 7 days time to the petitioner herein to submit explanation while pointing out the deviations.

5. Since the impugned notice is only a show-cause notice, this Court deems it appropriate to dispose of the writ petition, keeping it open for the petitioner herein to file explanation for the same within a period of one week from today, and if any such explanation is submitted by the petitioner herein within the time stipulated, the same be considered and appropriate orders be passed, strictly in accordance with law. Till the final order is passed no coercive action pursuant to the impugned notice with regard to the subject construction shall be taken.

6. Accordingly the writ petition is disposed of. 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:20.07.2018

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Dated: 20.07.2018

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