

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

W.P.No.31169 of 2018

ORDER:

Heard the learned counsel for the petitioner and Sri V.Satyam Reddy, learned Standing Counsel for the third respondent Corporation.

2. A notice bearing UCR No.8/TP&BO-1/MCK/2018, dated 13.08.2018, issued by the Commissioner, Karimnagar Municipal Corporation, Karimnagar under Section 452 (1) & 461 (1) of HMC Act, 1955, is under challenge in the present writ petition. In fact, in response to the said show-cause notice, according to the petitioner, she submitted an explanation on 27.08.2018 and no final notice has been issued so far.

3. It is submitted by the learned counsel for the petitioner that without passing any orders on the said explanation, the respondent authorities are trying to remove the subject structures. On the other hand, it is submitted by the learned Standing Counsel for the respondent Corporation that the writ petition is a premature one and without waiting for an order to be passed under Section 452 (2) of HMC Act, the present writ petition is filed directly before this.

4. Having regard to the apprehension expressed by the learned counsel for the petitioner and taking into consideration the submission of the learned Standing Counsel, this Court deems it appropriate to dispose of the writ petition with a direction to the third respondent Corporation to verify the explanation dated 27.08.2018 said to have been submitted by the petitioner herein in response to the show-cause notice dated 13.08.2018 and take further action/pass further orders, strictly in accordance with law. Till an order is passed after considering the said explanation, there shall be no coercive action in respect of the subject property.

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

A.V.SESHA SAI, J

Date:29.08.2018
grk

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



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Dated 29.08.2018

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