

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

WRIT PETITION No.32701 OF 2018

ORDER :

Heard learned counsel for the petitioner and Sri Sampath Prabhakar Reddy, learned Standing Counsel for GHMC.

The show cause notice, bearing No.84/TPS/C1/GHMC/2018, dated 27.08.2018, issued by the Deputy Commissioner, GHMC-third respondent herein, under Sections 452 (1) and 461 (1) of the Hyderabad Municipal Corporation Act, 1955 (for brevity, 'the Act'), is under challenge in the present Writ Petition.

According to the learned counsel for the petitioner, though the petitioner herein submitted an explanation on 30.08.2018, without considering the same, the respondent authorities are attempting to demolish the subject constructions.

Since the explanation, said to have been submitted by the petitioner herein, is pending consideration before the third respondent herein, the respondent authorities have to respond in one way or the other, in accordance with law, but, without considering the same, it is not open for the third respondent herein to proceed further.

Having heard the learned counsel on either side, this Court deems it appropriate to dispose of the Writ Petition, directing the third respondent herein to consider the explanation, dated 30.08.2018 (received on 01.09.2018), said to have been submitted by the petitioner herein, and to take appropriate action/pass appropriate orders, strictly in accordance with law, and, till final orders are passed, there shall be no coercive action, pursuant to the impugned notice, dated 27.08.2018.

Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

12th September, 2018
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A.V.SESHA SAI, J

