

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

WRIT PETITION No.33441 of 2018

ORDER:

Heard learned Counsel for the petitioner and Sri S.Prabhakar Reddy, learned Standing Counsel for the respondent-Municipal Corporation.

2. A notice bearing Lr.No.38/UC/W.No.23/TPS/C5/GHMC/EZ/2018, dated 27.08.2018 issued by the respondent-Municipal Corporation under the provisions of Section 452 (1) of the HMC Act, 1955, is under challenge in the present Writ Petition.

3. In fact, in response to the said notice, the petitioner herein submitted an explanation on 08.09.2018 and the same is pending consideration before the respondent-Municipal Corporation.

4. The apprehension of the petitioner, as advocated by the learned Counsel for the petitioner, is that without passing any Orders on the said explanation, the respondent-authorities may demolish the structures.

5. When the matter is taken up, the learned Standing Counsel submits that since the petitioner herein already submitted explanation, the same will be verified and considered and appropriate further action will be taken/appropriate orders will be passed, strictly in accordance with law.

6. Recording the said submission, this Court deems it appropriate to dispose of the Writ Petition, directing the respondent-Municipal Corporation to consider the explanation, dated 08.09.2018, said to have been submitted by the petitioner herein in response to the notice, dated 27.08.2018, issued by the respondent-Municipal Corporation under the provisions of Section 452 (1) of the HMC Act, 1955, and take further action/pass appropriate Orders, strictly in accordance with law. Till the said exercise attains finality, no coercive action in respect of the subject structures shall be taken. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed. No costs.

18th September, 2018
smr

A.V.SESHA SAI,J