

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

WRIT PETITION No.35051 of 2018

ORDER:

Heard the learned counsel for the petitioners and Sri V.Satyam Reddy, learned standing counsel for the respondent corporation.

Notice bearing No.GP/TPBO/4/2018, dated 15.06.2018, issued by respondent No.2 under Sections 406 and 452 (1) of H.M.C Act, 1955 is under challenge in the present writ petition.

It is submitted by the learned counsel for the petitioners that earlier a notice bearing Roc.No.G1/2018, dated 30.04.2018 was issued by the respondent corporation, directing the petitioners to furnish sanctioned permission plan, proceedings copy along with relevant registration documents for verification and the same was responded to by the petitioners herein and submitted a detailed explanation. It is submitted by the learned counsel for the petitioners that without considering the same, the present impugned notice came to be issued by the 2nd respondent on 15.06.2018.

A perusal of the material available discloses that in fact in response to the impugned notice, dated 15.06.2018, the petitioners have submitted an elaborate explanation on 22.06.2018, bringing to the notice of the respondent corporation various aspects, including institution of a suit for declaration of title against the Government, vide O.S.No.8 of 2008, on the file of the Principal Senior Civil Judge, Karimnagar and passing of decree therein in their favour on 24.08.2015.

Since the petitioners have already submitted a detailed explanation on 22.06.2018, this court, after hearing the learned counsel for the

petitioners and the learned standing counsel for the respondent corporation, deems it appropriate to dispose of the writ petition, with a direction to the respondent corporation to consider the explanation of the petitioners, dated 22.06.2018, submitted in response to the impugned notice, dated 15.06.2018, and take appropriate further action or pass further orders, strictly in accordance with law. Till the said exercise attains finality, no coercion action against the subject structures shall be taken.

The writ petition is accordingly disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in consequence.

Date: 28.09.2018
Dsr



A.V.SESHA SAI,J