

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

WRIT PETITION No.36702 of 2018

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Sri Sampath Prabhakar Reddy, learned Standing Counsel for GHMC, apart from perusing the entire material available on record.

Notice bearing No.2677/UC/W.No.114/CIR-23/ KZ/ GHMC/ 2018, dated 13.08.2018, issued by the Deputy Commissioner, Circle No.23, Moosapet-second respondent herein, is under challenge in the present Writ Petition.

Prior to the impugned notice, respondents herein also issued a notice, under Section 452 (1) and 461 (1) of the Hyderabad Municipal Corporation Act, 1955, and, according to the petitioner, explanation was also offered in response to the same.

It is submitted by the learned counsel for the petitioner that, in response to the impugned notice, dated 13.08.2018, petitioner herein submitted an explanation on 20.08.2018, however, without passing any orders on the said notice and the explanation offered by the petitioner herein, respondent authorities are trying to demolish the subject constructions.

On the other hand, it is submitted by the learned Standing Counsel that, if any explanation, said to have been submitted by the petitioner herein, is pending consideration before the respondent authorities, the same will be considered and

appropriate action will be taken/appropriate orders will be passed, strictly in accordance with law.

Recording the above submission, Writ Petition is disposed of, directing the respondent authorities to verify the explanation, dated 20.08.2018, said to have been submitted by the petitioner herein, in response to the impugned notice, dated 13.08.2018, and to take further action/pass appropriate orders, strictly in accordance with law. Till the said exercise attains finality, no coercive steps shall be taken against the subject construction. It is also made clear that this order will enure to the benefit of the petitioner herein, if proceedings are pending with the respondent authorities.

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.

A.V.SESHA SAI, J

10th October, 2018
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