

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

W.P.No.37522 of 2018

ORDER:

Heard the learned counsel for the petitioner and Sri Ancha Panduranga Rao, learned Standing Counsel for the respondents 2 and 3.

2. The grievance of the petitioner in the present writ petition is the alleged action of the respondents in interfering with the construction of the building of the petitioner despite the existence of validly granted permission by the respondent Corporation on 04.05.2018 vide permit No.BA No.1085/0172/B/ONG/MNZGMPPD/2018.

3. The respondent Corporation issued a notice under Sections 428, 452 (1) & 461 (1) of HMC Act, 1955 calling upon the petitioner herein to show-cause as to why the action should not be taken as per the H.M.C Act, 1955 while pointing out certain deviations alleged to have been committed by the petitioner herein. In response to the said show-cause notice, petitioner herein submitted explanation on 13.07.2018.

4. According to the learned counsel for the petitioner, the said explanation is still pending consideration before the second respondent Corporation. It is further stated by the learned counsel that without considering the said explanation, the respondent authorities are interfering with the building construction activities of the petitioner herein.

5. Since according to the petitioner herein the explanation dated 13.07.2018 is pending consideration before the respondent Corporation and keeping in view the arguments of the learned counsel for the petitioner so also the learned Standing Counsel for the Corporation, this Court deems it

appropriate to dispose of the writ petition with a direction to the respondent Corporation to consider the explanation dated 13.07.2018 said to have been submitted by the petitioner herein in response to the show-cause notice dated 07.07.2018 and take appropriate action/pass appropriate orders, strictly in accordance with law. Till the said exercise attains finality, there shall be no coercive action with regard to the subject constructions.

6. Accordingly, the writ petition is disposed of. As a sequel thereto, miscellaneous petitions, pending if any, in these Writ Petitions, shall stand disposed of. There shall be no order as to costs.

Date: 12.10.2018
grk



A.V.SESHA SAI, J

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



W.P.No.37522 of 2018

Dated: 12.10.2018

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