

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 38730 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents 2 and 3 in trying to demolish the petitioner's apartment constructed in Sy.No.1979, LP No.315/83, Plot No.10, Ramakotaiah Nagar Area, Kothur Village, Nellore City, pursuant to a notice issued under Section 452 (1) & (2) of Hyderabad Municipality Act, without serving the same on the petitioner, as illegal, arbitrary and violative of principles of natural justice.

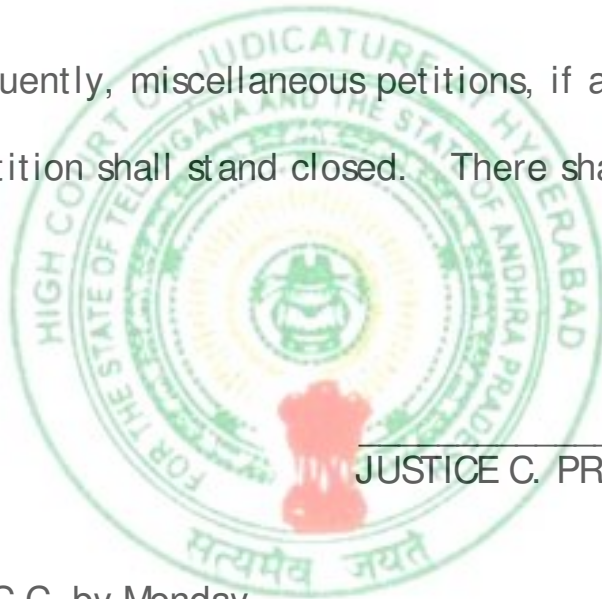
2) Learned counsel for the petitioner would submit that without service of a notice, the authorities are taking steps for demolition the apartment of the petitioner.

3) Learned Standing Counsel appearing for respondent No.3, would submit that the allegation made by the petitioner that no notice was served is incorrect. He further submits that any action taken by the authorities would only be in accordance with law.

4) Having regard to the facts and circumstances of the case; as no material is placed to show that notice was served on the petitioner and instead of keeping the matter pending, treating

the notice No. 15/ 2018 issued under Section 452 (1) and (2) of the Hyderabad Municipality Act, 2018, which was filed along with the writ petition, as a show-cause notice, the writ petition is disposed of directing the petitioner herein to submit his explanation to the notice No.15/ 2018 within ten days from today, in which event, the authorities concerned shall pass orders in accordance with law, after hearing all the concerned, at the earliest. Till such time *status quo* as on today shall be maintained.

5) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.



JUSTICE C. PRAVEEN KUMAR

26.10.2018

Note: Issue C.C. by Monday.

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