

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 39417 of 2017

Order:

This Writ Petition was filed challenging the notice issued under Section 406 of the Hyderabad Municipal Corporation Act, 1955 (for short 'the Act') on 16.11.2017.

In the said notice it was stated that the petitioner encroached upon Nala/Open Channel/Drain in premises No.1-19-166/6, situated at Joshi Nagar, Alwal, West Venkatapuram, Secunderabad, contrary to the provisions of the Act and Bye-laws. He was directed to vacate and remove the structures within 24 hours, failing which further action would be taken.

This Court granted interim order on 21.11.2017 and the said order is in operation as on today.

Since the impugned proceedings dated 16.11.2017 is only a notice, the petitioner is permitted to submit his explanation to the said notice within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of the said explanation, the respondents shall consider the same and pass appropriate orders in accordance with law. Till appropriate orders are passed, the property in possession of the petitioner shall not be interfered with.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 30.04.2018
Nsr