

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 38910 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 13.07.2017.

In the said notice it was stated that the petitioner encroached upon Nala/Open Channel/Drain in premises No.5-3-867/1 and 867/1/A, situated at Malakunta Road, Nampally, contrary to the provisions of the Act and Bye-laws. He was asked to submit his explanation within seven (7) days. Accordingly, he submitted his explanation on 31.07.2017 and when the same is under consideration, he filed the present Writ Petition.

This Court, by order dated 17.11.2017, restrained the respondents from interfering with the property of the petitioner.

Now, the petitioner filed I.A.No.1 of 2018 seeking extension of the interim order, but this Court feels that the interim order need not be extended, in view of pendency of the reply before the concerned authorities pursuant to the notice issued by the respondents.

Accordingly, the Writ Petition is disposed of directing the respondents 2 and 3 to consider the explanation submitted by the petitioner on 31.07.2017 pursuant to the notice dated 13.07.2017 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. 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

