

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.39382 of 2018

ORDER:

Heard Sri C.Hari Preeth, learned counsel for the petitioner and Smt.Pingali Laxmi, learned Standing Counsel for Municipal Corporation.

2. The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents 2 and 3 in threatening to demolish the petitioner's compound wall constructed around the vacant plot admeasuring 284.44 square yards in Sy.No.144/ C1 situated at Ursu Village, Khila (Fort), Warangal Mandal and District, without considering the explanation submitted by the petitioner, dated 27.10.2018 along with the payment challan, pursuant to the show-cause notice dated 25.10.2018, as illegal, arbitrary and against the principles of natural justice.

3. Though various grounds are raised, learned counsel for the petitioner would submit that though the petitioner submitted an application to the notice issued under Section 452 (1) of the Greater Hyderabad Municipal Corporation Act, but without considering the explanation, the authorities are trying to take steps for demolition.

4. Smt.Pingali Lakshmi, learned Standing Counsel appearing for the Municipal Corporation, Warangal, would submit that the

explanation, alleged to have been given by the petitioner is not received in the office of the respondents, as such a doubt arises as to whether really such an explanation was given.

5. Having regard to the facts and circumstances of the case, the writ petition is disposed of, directing the petitioner to submit fresh explanation to the notices issued by the Corporation within a period of one week from today, in which event, the authority shall pass orders in accordance with law, after hearing all the concerned, at the earliest. Till such time, the authorities shall not take any coercive steps. If no such explanation is made within the stipulated time, the authorities are at liberty to proceed in accordance with law.

6. As a sequel to disposal of the writ petition, miscellaneous petitions pending, if any, shall stand closed. No costs.

01.11.2018
vnb

C. PRAVEEN KUMAR, J