

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 40466 of 2018

ORDER:

1) Heard learned counsel for the petitioner and Sri Sampath Prabhakar Reddy, learned Standing Counsel for the Corporation. With the consent of both the parties, the writ petition is disposed of at the admission stage.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring Notice No. 58/ UC/ W.No.105/ CIR-20/ TPS/ GHMC/ 2018, dated 31.10.2018 issued by the third respondent as illegal, unjust, unsustainable and violative of principles of natural justice.

3) Learned Standing Counsel for Corporation, would submit that the impugned notice which is issued on 31.10.2018 may be treated as show cause notice and the petitioner may be directed to submit his explanation, in which event the authorities shall take steps in accordance with law. The same is not seriously disputed by the learned counsel for the petitioner.

5) Having regard to the above, the writ petition is disposed of holding that the notice, dated 31.10.2018, which is filed along with the Writ Petition be treated as a show cause notice and submit his explanation within ten days from today, in

which event, the authorities shall follow the procedure established under law for taking appropriate action. Till such time *status quo* as on today shall be maintained with regard to property in dispute. It is made clear that the petitioner shall not make any further construction. If the explanation is not submitted within a period of ten days, the authority concerned shall proceed in accordance with law.

6) Consequently, miscellaneous petitions pending, if any, shall stand dismissed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

09.11.2018
Note: Issue C.C. Monday.
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