

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 38269 of 2017

Order:

Heard learned counsel for the petitioner. None appeared for the respondents and no counter affidavit is filed.

This Writ Petition was filed challenging the action of the second respondent in issuing the notice dated 06.11.2017 as violative of the A.P. Municipalities Act.

A reading of the impugned notice shows that the petitioner did not remove the old structures on the South-West corner of the site, as a result of which the setbacks are not visible and there are several complaints to the Municipal Office. The petitioner was asked to remove the old structures and show the setbacks, failing which they would take action in accordance with law.

This Court granted interim order on 15.11.2017 and the said order is in operation as on today.

Since the impugned proceedings dated 06.11.2017 is only a notice, it is open to the petitioner to submit an explanation within a period of two (2) weeks from the date of receipt of a copy of this order, as the learned counsel for the petitioner submits that the notice was issued on misunderstanding of the facts. Giving such liberty to the petitioner and directing the respondents not to take any coercive steps for demolition of the structures within four (4) weeks or till an order is passed whichever is latter, this Writ Petition is disposed of. If the petitioner does not submit the explanation within two weeks as ordered above, it is open to the respondent authority to take action in accordance with law.

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.

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A. RAMALINGESWARA RAO, J

Date: 30.04.2018

Nsr

