

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No.41050 OF 2018**

**ORDER:**

The present writ petition came to be filed seeking to declare the action of the respondents more particularly the action of the 6<sup>th</sup> respondent in issuing the impugned notice dated 7.9.2018, at the instance of the 5<sup>th</sup> respondent, threatening to demolish the compound wall of the Maram's Devaki Enclave, Group Housing in Devakamma Layout situated in Sy.No.60/Part, 60/L, 60/M, 60/R and 60/Q of Karmanghat Village, Saroornagar Mandal, Ranga Reddy District, without considering the reply submitted by the petitioner, as illegal and arbitrary.

Though various grounds are raised, the learned counsel for the petitioner submits that pursuant to the notice dated 7.9.2018, issued under Sections 452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 (for short, "the Act"), the petitioner herein has submitted his explanation on 14.9.2018. The grievance of the petitioner appears to be that without passing any orders on the explanation submitted by the petitioner, the 6<sup>th</sup> respondent is threatening to demolish the compound wall of the subject property without having any right or authority.

Learned Standing Counsel for the respondents 2, 3 and 6 and the learned Standing Counsel for the H.M.D. Authority, would submit that no action will be taken against the petitioner without following the due process of law.

Recording the submissions made by the learned Standing Counsel for the respondents 2, 3 and 6 and the learned Standing Counsel for the Hyderabad Metro Development Authority, the writ petition is disposed of directing the 3<sup>rd</sup> respondent to pass

appropriate orders on the explanation dated 14.9.2018, submitted by the petitioner pursuant to the impugned notice at the earliest, after hearing the petitioner and all concerned. Till such time, the respondents shall not take any coercive steps with regard to the subject property of the petitioner without following the due process of law.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed.

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**C. PRAVEEN KUMAR,J**

Date:15.11.2018.

**Note:**

Issue CC by 16.11.2018.

B/o.

Gk



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