HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 44425 of 2018

ORDER:

Heard learned counsel for the petitioner and Sri S.Lakshminarayana Reddy, learned Standing Counsel for Respondent Nos.2 and 3.

2. The present Writ Petition came to be filed questioning the action of the respondents in attempting to demolish the structures (pent house) of the petitioner, without passing any orders on the explanation submitted by the petitioner on 27.10.2018, in response to the impugned notice issued by respondent No.3, purported to be under Section 452 of HMC Act, as illegal and arbitrary.

3. Though various grounds are raised, learned counsel for the petitioner restricts his prayer seeking a direction to the authorities not to take any action, till appropriate orders are passed on the explanation submitted by the petitioner to the show cause notice dated 24.10.2018.

4. Learned Standing Counsel would submit that any action to be taken by the authorities would be in accordance with the procedure established by law.

5. Having regard to the above, the Writ Petition is disposed of directing the authorities to pass appropriate orders in accordance with law on the explanation given by the petitioner at the earliest. Till such time, no coercive steps shall be taken in respect of the property in dispute, without following due process of law.

6. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions pending if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Dt: 10.12.2018
vhb