

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.45661 of 2018

ORDER:

- 1) Heard.
- 2) Challenging the notice dated 12.12.2018, passed in Rc.No.58/2018, issued by the fourth respondent, the present writ petition is filed.
- 3) According to the learned counsel for the petitioner, no time has been given to the petitioner to submit her explanation and on the other hand, steps are being taken for demolition of the subject building.
- 4) Learned Standing Counsel for Municipal Corporation, on instructions, states that any action to be taken by the authorities would be in accordance with law. It is further stated that since the petitioner has violated the building permission rules and has raised additional floor, the action of the authorities cannot be found fault with.
- 5) Having regard to the facts in issue, it cannot be said that the impugned order is vague, as the word 'multi storied' would indicate that the petitioner has constructed more than the permitted limit.
- 6) Hence, the writ petition is disposed of giving liberty to the petitioner to submit her explanation to the impugned notice,

within a period of ten days from today and thereafter immediately, the fourth respondent shall consider the same within a period of one week thereafter and pass appropriate orders, in accordance with law and in default of the same, the authorities shall open the locked premises. Pending passing of the orders as directed above, no coercive steps shall be taken with regard to the subject property.

7) 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: 15.12.2018

Note:

Issue CC today.
B/o.
vhb

