

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.46981 OF 2018

ORDER:

Heard learned counsel for the petitioners and Sri N.Praveen Kumar, learned Standing Counsel appearing for respondent No.2 and perused the records. With their consent, the writ petition is disposed of at the stage of admission itself.

2. The present writ petition came to be filed seeking issuance of writ of mandamus declaring the notice issued by respondent No.2, vide U.C.No.TP/ 2018, dated 26.11.2018, as illegal and arbitrary.

3. Though various grounds are raised, learned counsel for the petitioners would submit that treating the impugned notice as show cause notice, the petitioners may be permitted to submit their explanation, within a period of one week, in which event, respondent No.2 may be directed to pass appropriate orders, in accordance with law. According to him, a reading of the notice issued on 26.11.2018 would disclose that the petitioner was directed to remove the illegal construction, within a period of one week. It is the case of the petitioners that no prior notice is issued in this aspect.

4. Learned Standing Counsel would submit that the petitioners may be directed to submit their explanation to the impugned notice, treating the same as show cause notice, in which event, the authorities would proceed in accordance with law.

5. Having regard to the submissions made across the Bar, the Writ Petition is disposed of permitting the petitioners to treat the notice dated 26.11.2018 as show cause notice and submit their explanation within a period of one week from today, in which event the authorities concerned shall pass orders, in accordance with law, after hearing all concerned, at the earliest. Till such time, *status-quo* as on today, to be maintained with regard to the property in dispute.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

Date: 27.12.2018
vnb



C. PRAVEEN KUMAR, J