

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.5434 of 2019

ORDER:

In the present writ petition, the petitioner challenges the show cause notice dated 7.3.2019 issued by the 4th respondent-Commissioner, Gajwel-Pragnapur Municipality

2. According to the petitioner, he was granted building permission on 5.6.2018 by the 4th respondent-Commissioner and as per the same, he made construction. However, when the respondent authorities undertook construction of illegal structures on the margin left out road in front of his house, petitioner filed W.P.No.1794 of 2019 and this Court by order dated 1.2.2019, directed the respondent authorities not to undertake constructions in the left out area and also blocking the road at the house of the petitioner. It is on this account, according to the petitioner, the respondent authorities have issued the impugned show cause notice dated 7.3.2019 only to harass the petitioner.

3. It is submitted by the learned Standing Counsel appearing for 4th respondent-Municipality that the impugned show cause notice has been issued since the petitioner failed to submit his ownership document along with link document No.757/2000, evidencing there being a road on the western side of the plot.

4. Heard and perused the material available on record including the orders passed by this Court on earlier occasions.

5. The petitioner alleges that the constructions are being made by the Respondent authorities on the road side area thereby blocking the way to the

petitioner. There being no specific individual named, it is very difficult for this Court to come to a conclusion that the notice is accentuated with malafides.

4. In those circumstances, the writ petition is closed, giving liberty to the petitioner to file his explanation to the show cause notice dated 7.3.2019 and the same shall be considered by the respondent authorities, as per law. As a sequel, the miscellaneous petitions if any, shall stand closed. There shall be no order as to costs.

Date: 15.3.2019
DA

CHALLA KODANDA RAM, J



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