

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 6493 of 2019

ORDER:

This writ petition is filed for the following relief:

“...to issue Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondent No 2 in seeking to interfere with the petitioners including removal of projections/boards made by the petitioners in the setback area without considering the reply dated 22.03.2019 submitted by the petitioners against the notice dated 18.03.2019 issued by Respondent No 2 under Section 406 of GIMC Act, 1955 vide reference No. 16523/TPS/C-14/KCAZ/GHMC/2019 along with board RAJNIK and COMPANY in respect of property admeasuring 292.26 square yards bearing H.No.15-9-405 to 408 situated Near Shankar Sher Hotel, Afzalgunj, Hyderabad as being illegal, arbitrary ,unconstitutional and consequently set aside the impugned notice dated 18.03.2019 directing the respondents not to interfere with the rights of the petitioners in the subject property.....”

In the facts of the present case, it is not necessary for this Court to setout the same in detail. The petitioners filed this writ petition on an apprehension that the respondent authorities, without considering explanation, dated 22.03.2019, submitted by them in response to the show cause notice, dated 18.03.2019, may take coercive action against them.

Learned Standing Counsel appearing for respondent Nos.2 to 4 submits that after considering the explanation submitted by the petitioners, necessary orders would be passed. He further submits that the impugned notice was issued to the petitioners as per the order, dated 26.02.2019, passed by the Division Bench of this Court in W.P.No.16523 of 2014 and based on the report of the Chief Metropolitan Magistrate, Nampally.

In the light of the above submission, the writ petition is disposed of with the direction to the respondent authorities to take action against the petitioners after considering their explanation.

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

CHALLA KODANDA RAM, J

Dt:27.03.2019

kdI



