

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.6840 of 2019

ORDER

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration and Urban Development for the 1st respondent and learned Standing Counsel for the 2nd and 3rd respondents.

2. This writ petition is filed seeking to declare the action of the respondents in proceeding to demolish the petitioners' premises bearing G-11, G-12 with undivided share of land in the premises of concede apartment bearing Municipal No.6-3-658, Erra Manzil, Somajiguda, Hyderabad, as illegal and arbitrary.

3. The case of the petitioners is that the 3rd respondent issued notice dated 13.07.2018, under Section 461 of the Greater Hyderabad Municipal Corporation Act, 1955 (for short 'the Act'), directing them to submit the copies of registered sale deed, sanctioned plan and relevant documents before him and that they had submitted explanation for the same on 03.08.2018. However, without considering the said explanation, the respondents are threatening to demolish their business premises.

4. Learned Standing Counsel, on instructions, submits that originally, the petitioners had obtained permission for residential house, but they are running commercial showrooms and that they have not mentioned about the earlier notice issued by the

respondents. He further submits that the petitioners had approached this Court in order to prevent the respondents from taking appropriate action pursuant to the notice issued earlier. He also submits that without considering the explanation submitted by the petitioners and without passing the orders as mandated under the Act, no coercive step shall be taken against the subject property.

5. Recording the submission of the learned Standing Counsel, the Writ Petition is disposed of, directing the respondents to consider the explanation of the petitioners dated 03.08.2018 and pass appropriate orders in accordance with law. No order as to costs.

6. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

8th February, 2019

sj

CHALLA KODANDA RAM, J