

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.6913 of 2019

ORDER

This writ petition is filed challenging the notices dated 25.03.2019 issued by the 2nd respondent alleging that the petitioners had encroached upon the nala portion measuring 30 X 40 feet by constructing compound wall and tin-shed structure. By the said notices, the petitioners were directed to remove the alleged encroachment within three days.

2. The case of the petitioners is that they have not given an opportunity of hearing before issuance of the notices directing them to remove the alleged encroachment and that if the opportunity is given, they would establish that there is no such encroachment.

3. Heard learned counsel for the petitioners and learned Standing Counsel for the 2nd respondent.

4. Having regard to the respective submissions, as the grievance of the petitioners is with regard to non-issuance of show-cause notice giving opportunity to submit their explanations, I deem it appropriate to dispose of the Writ Petition, giving liberty to the petitioners to submit their explanations to the impugned notices dated 25.03.2019, treating them as show-cause notices, within 10 days from today, as the time stipulated in the impugned notices is too short, and on filing such explanations, the respondents shall consider the same and pass appropriate orders in accordance with

law. Till such time, no coercive steps shall be taken against the properties of the petitioners. No order as to costs.

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

CHALLA KODANDA RAM, J

2nd April, 2019

Note:
Issue CC tomorrow.

sj

