

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10553 of 2019

ORDER:

This writ petition is filed challenging the notice in Rc.No.GP/NP/2019, dated 20-05-2019 wherein and whereby the 3rd respondent directed the petitioner to remove the obstruction to the public road.

Learned counsel for the petitioner submits that the petitioner has not made any new construction, he has raised only existing compound wall, since after laying of road height of the compound wall become reduced. He also submits that the impugned notice was issued by 4th respondent, which is politically motivated.

On the other hand, Sri G.Narender Reddy, learned Standing Counsel for respondent-Grampanchayat basing on counter affidavit submits that the petitioner was issued notices twice, but has not submitted any explanation and since he was obstructing C.C. road, the impugned notice is issued.

It is to be seen that a reading of the impugned notice goes to show that there is no reference of prior notice before issuing the impugned notice.

In view of the same, the impugned notice shall be treated as show-cause notice and it is open for the petitioner to file explanation to the same within a period of two weeks from today and on such explanation, the 3rd respondent is

directed to consider the same and pass orders after granting opportunity of hearing to the petitioner and the petitioner can raise all objections raised herein and any other objection, he wants to raise. Till then, no coercive steps shall be taken against the petitioner.

Accordingly, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

23-09-2019
Nvl

A.RAJASHEKER REDDY,J



