

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15298 OF 2019

ORDER:

Petitioner is challenging the notice dated 11.07.2019. This notice is issued by the Commissioner, Sircilla Municipality, alleging that the petitioner was undertaking construction in deviation of the sanctioned plan and not maintaining the setbacks. Petitioner has not offered his explanation to the said show cause notice. Alleging illegal interference by unofficial respondents, petitioner also seems to have approached the Police.

2. Placing reliance on the material on record, petitioner sought to contend that though there is no deviation, the official respondents, at the instance of unofficial respondents, are trying to pressurize the petitioner for paying money and not allowing him to take up further construction.

3. This Court is not inclined to appreciate such contentions in a writ petition. Admittedly, the Commissioner is competent to issue notice whenever it comes to his knowledge the deviations of construction permission granted. If the petitioner has not violated the construction permission, he ought to have filed explanation to the notice of the Commissioner and brought to the notice of the respondents that there are no deviations. Without filing any such explanation, he straightaway filed this writ petition.

4. Therefore, the Writ Petition is dismissed leaving it open to the petitioner to file explanation to the notice impugned. It is needless to observe that if the petitioner files any such explanation within a period of one week from the date of receipt of copy of this

order, the Commissioner shall consider the same in accordance with law.

Miscellaneous petitions, pending if any, shall stand closed.

No order as to costs.

P. NAVEEN RAO, J

22nd July, 2019
sur

