

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.18714 OF 2019

ORDER

The case of the petitioner is that in pursuance of the permission granted by the 5th respondent – Gram Panchayat, represented by its Secretary, dated 26.04.200, he raised tin shed in the subject property, but in spite of the said permission, 5th respondent issued the impugned notice dated 24.08.2019 for removal of the said tin shed. Aggrieved by the same, the present writ petition is filed.

This court on 27.08.2019, while posting the matter to next week, directed both the parties to maintain *status quo* in the meanwhile.

Heard the learned counsel for the petitioner, and the learned Assistant Government Pleaders for Home and Panchayat Raj for respondents 6 and 1 to 4 respectively.

Sri G.Narender Reddy, learned Standing Counsel appearing for 5th respondent – Gram Panchayat, on instructions, submitted that the impugned notice may be directed to be treated as show cause notice, and the petitioner may be permitted to file explanation and, thereafter, the respondents may be given liberty to take action accordingly.

Having regard to the facts and circumstances of the case, and the submissions of the learned counsel, writ petition is disposed of directing that the impugned notice dated 24.08.2019 shall be treated as show cause notice, and the petitioner is given liberty to file explanation with relevant documents in support of his claim, within a period of two weeks from the date of receipt of a copy of this order, and thereupon, it is open to the 5th respondent to pass appropriate orders in accordance with law. Till passing of such order, interim order of *status quo* granted by this court on 27.08.2019, shall continue.

It is made clear that in case of default on the part of the petitioner in filing explanation with relevant documents within the period granted above, *status quo* order stands automatically vacated, and it is open to the 5th respondent to take appropriate action in accordance with law in terms of impugned notice dated 24.08.2019.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:04—09—2019

AVS

