

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26718 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“declaring the action of the 2nd respondent in issuing vide Proceedings Nos G/98/Klpr/2019 G/99/Klpr/2019 G/100/Klpr/2019 G/101/Klpr/2019 G/102/Klpr/2019 G/103/Klpr/2019 G/104/Klpr/2019 G/105/Klpr/2019 G/106/Klpr/2019 G/107/Klpr/2019 G/108/Klpr/2019 G/109/Klpr/2019 G/110/Klpr/2019 G/111/Klpr/2019 dated 23.11.2019 as illegal arbitrary and unconstitutional and consequently set aside the same.”

2. Heard the learned counsel for the petitioners and Sri N.Praveen Kumar, learned Standing Counsel for the respondent-Municipality.

3. Learned counsel for the petitioners would submit that without issuing any notice and without giving any valid reason, the impugned Intimation Notices were issued to the petitioners and hence, he prays to set aside the same.

4. On the other hand, learned Standing Counsel for the respondent-Municipality would submit that basing on the proceedings in Memo No.13289/Plg.III/2019, dated 23.11.2019, the impugned Intimation Notices, dated 23.11.2019, have been issued to the petitioners. He also produced a copy of proceedings in Memo, dated 23.11.2019 for perusal.

5. A reading of the Memo No.13289/Plq.III/2019, dated 23.11.2019, would go to show that pending finalization of the issue, the Government had directed the Director of Municipal Administration, Hyderabad, to order for *status quo* in respect of the subject premises. Pursuant to the said direction, the Commissioner, Kollapur Municipality, Kollapur, by way of Intimation Notices, dated 23.11.2019, ordered *status quo* and directed the petitioners to stop all sorts of construction activity in the subject premises.

6. It is not known under which provision of law, the Government had issued the proceedings. Therefore, the impugned notices, are liable to be set aside.

7. Accordingly, the Writ Petition is allowed setting aside the impugned Intimation Notices, dated 23.11.2019. However, this order will not preclude the competent authority to take appropriate action in accordance with law, if there is any violation.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAJASHEKER REDDY, J

5th December, 2019

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Date:05.12.2019

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