

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.27344 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of the 2nd respondent in threatening the petitioner to demolish the house constructed in Survey No.863 of Chennur Shiva, situated at Gerre Colony, Kattharasahala Road, Chennur Village and Mandal, Mancherial District, without passing any orders on the explanation, dated 04.12.2019, submitted to the notice, dated 29.11.2019, as arbitrary and illegal and consequently direct the 2nd respondent not to take any coercive steps without following due process of law.

2. Heard the learned counsel for the petitioner and Sri N.Praveen Kumar, learned Standing Counsel for the 2nd respondent.

3. The grievance of the petitioner is that he was issued show-cause notice on 29.11.2019 under Section 178 (2) of the Telangana State Municipalities Act, 2019, alleging that the petitioner made unauthorized constructions in Survey No.863. Pursuant to the said show-cause notice, the petitioner has submitted explanation on 04.12.2019, wherein it is stated that the petitioner has made constructions in Survey No.869 only. Without considering the same, the respondent authorities are trying to demolish the structures made in Survey No.869 mechanically.

4. Since the petitioner has submitted explanation on 04.12.2019 pursuant to the show-cause notice, dated 29.11.2019,

it is for the 2nd respondent to consider the same and take action in accordance with law. Till such time, no coercive steps shall be taken against the petitioner in respect of construction made in Survey No.869.

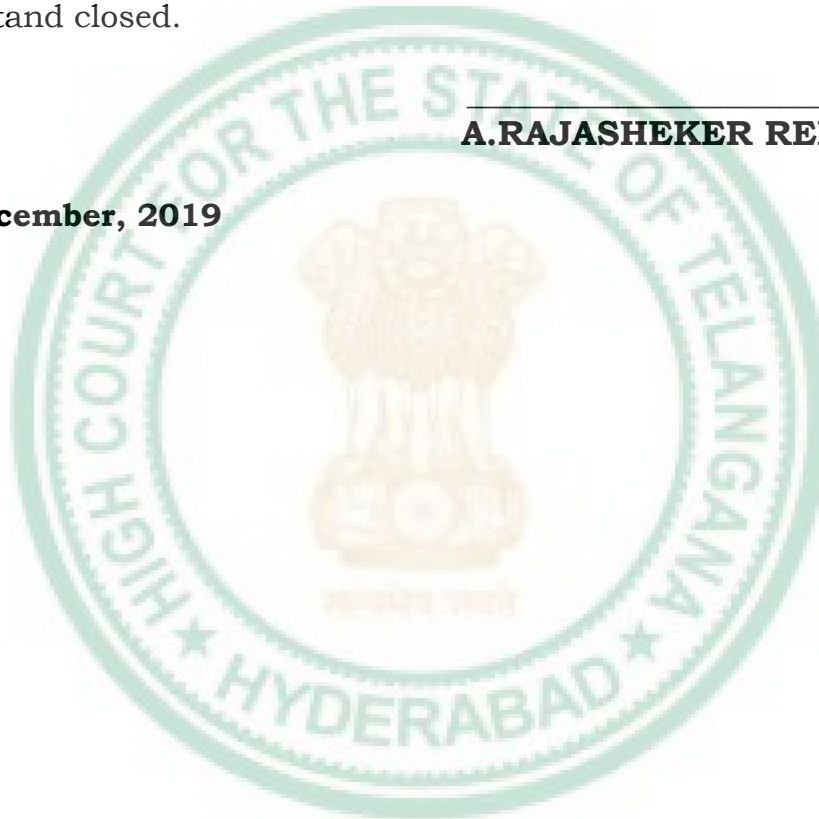
5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

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

A.RAJASHEKER REDDY, J

9th December, 2019

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Date:09.12.2019

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