

HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.738 of 2020

ORDER:

Heard the learned counsel for the petitioner as well as the learned Standing counsel appearing for the 2nd respondent – Municipality.

The prayer sought in the writ petition is as under:

“... to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the arbitrary and high handed action of the 2nd respondent in interfering and/or demolition of the construction of building petitioner as per permit bearing No.G.P./Nagaram/N-473/2017-18 dated 14.06.2017 along with plan in respect of plot Nos.206 and 207 in Sy.Nos.89, 90, 99 and 133P situated at Nagaram Municipality (Formerly Village Grampanchayt) Keesara Mandal, Medchel-Malkajgiri District, thereby insisting for fresh building permission to proceed with construction otherwise the demolition will be effected to the construction, as wholly illegal, unjust, without jurisdiction and/or authority of law, unconstitutional, violation of Article 300-A and 21 of the Constitution of India, contrary to the provisions of the Telangana Municipalities Act, 1965 and consequently direct the 2nd respondent refraining from interfering with the construction in progress at the aforementioned property.”

Learned Standing counsel appearing for the 2nd respondent - Municipality informs the Court that pursuant to the show cause notice issued vide U.C.R.No.C1.87/MCN/2019, dated 04.11.2019, the petitioner submitted his explanation on 19.11.2019. However, no orders are passed till date. He therefore submits that the 2nd respondent will pass appropriate orders on the explanation submitted by the petitioner within two weeks as per law.

Recording the said submission, the writ petition is disposed of, directing the 2nd respondent - Municipality to

consider the explanation submitted by the petitioner on 19.11.2019 and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order. Till the final orders are passed, the 2nd respondent is directed not to take any coercive steps. No order as to costs.

Miscellaneous petitions, if any, shall also stand disposed of.

P. KESHA RAO, J

Date: 27.01.2020.
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