

THE HON'BLE SRI JUSTICE P.KESHAHA RAO

WRIT PETITION No.1789 of 2020

ORDER:

Heard the learned counsel for the petitioner as well as the learned standing counsel appearing for the second respondent Corporation.

2. The main grievance of the petitioner in the writ petition is that she purchased the land admeasuring 283 square yards under a registered instrument and constructed a house therein after obtaining permission. However, the respondent Corporation issued a show cause notice to the vendor's vendor of the petitioner to the effect that as to why the layout obtained *vide* proceedings dated 05.09.2012 shall not be revoked under the provisions of the HMC Act, 1955, since the LRS approval was obtained by fraudulently on misrepresenting and suppressing the material. Pursuant to the said show cause notice, the petitioner submitted an explanation dated 25.01.2020 to the second respondent Corporation. However, no orders are passed and the officials of the second respondent Corporation are threatening the petitioner to demolish the house.

3. In these circumstances, since the petitioner had already submitted an explanation, the respondents are obligated to consider the same and pass appropriate orders in compliance with the provisions of the HMC Act, 1955.

4. Therefore, the writ petition is disposed of directing the second respondent Corporation to pass appropriate orders on the explanation submitted by the petitioner within a period of three weeks from the date of receipt of a copy of the order. However, it is made clear that till the orders are passed, the respondents are directed not to take any coercive steps. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE P.KESHAHA RAO

Date:29.01.2020

PGS