

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.27291 of 2021

ORDER:

Heard Sri Rapolu Bhaskar, learned counsel for the petitioner and Sri Pasham Krishna Reddy, learned Standing Counsel appearing for respondents 2 to 4. With their consent, the present writ petition is disposed of at the admission stage.

2. The 4th respondent had issued a notice dt.12.10.2021 under Sections 452(1) & 461(1) of HMC Act, 1955 informing the petitioner about the erection of shed by encroaching the road margin unauthorizedly and requested her to submit explanation along with relevant documents within seven days. Petitioner herein had submitted explanation on 18.10.2021. Now the grievance of the petitioner is that the 4th respondent without considering the said explanation dt.18.10.2021 and also the documents submitted by her, is trying to interfere with her possession over the subject property.

3. On the other hand, Sri Pasham Krishna Reddy, learned Standing Counsel, on instructions, would submit that the 4th respondent will consider the explanation dt.18.10.2021 as well as the documents submitted by the petitioner and pass appropriate orders in accordance with law.

4. In view of the said submissions, this Writ Petition is disposed of directing the 4th respondent to consider petitioner's explanation dt.18.10.2021 and also the documents submitted by her, and pass orders in accordance with law, by putting the petitioner and 5th respondent on notice and giving them an opportunity of hearing. Till such exercise is completed, respondents 3 & 4 are directed not to take further steps pursuant to the impugned notice dt.12.10.2021. It is made clear that the petitioner shall also not make any further constructions, till such orders are passed. No order as to costs

5. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

K. LAKSHMAN, J

01st November, 2021.

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