

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.46300 of 2022

ORDER:

This writ petition is filed seeking the following relief:

“ ...to issue an order or orders more particularly one in the nature of writ of mandamus, by declaring the action of the Respondent No.3 in issuance of the proceedings Notice No.UC-8439/TPS/C-27/KPZ/GHMC/2, dated 12.11.2022 to the Petitioners herein for removing the construction in Plot No.56 Part, in Survey No.544/PART, admeasuring 157.5 Sq.Yards or equivalent to 131.67 Sq.Metres, situated at “OLD ALWAL”, ALWAL VILLAGE under Greater Hyderabad Municipal Corporation, Alwal Circle Malkajgiri Mandal Ranga Reddy District and the act of respondents - authorities is illegal, arbitrary and violation of principles of natural justice.”

2. Sri R. Chandrashekar Reddy, learned counsel for the petitioners, submits that the respondents have issued a show-cause notice and the petitioners have approached the respondents and orally submitted that there are no deviations and without considering the oral submission, the respondents have passed the order impugned.

3. Sri M.Dhananjay Reddy, learned Standing Counsel, submits that even as per the affidavit and as per the submission of the learned counsel for the petitioners, the petitioners have failed to submit explanation to the show-cause notice, as such, the respondents have passed the order impugned and there is no illegality in the said order.

4. The order impugned is passed directing the petitioners to remove

the unauthorized construction within three days, which is contrary to the orders passed by this Court and the Memo issued by the Chief Secretary, Municipal Administration and Urban Development dated 08.12.2022. Balancing the interest of both parties, the petitioners shall submit their explanation within one week from today and the respondents are at liberty to pass orders within one week thereafter.

5. Accordingly, this Writ Petition is disposed of. The petitioners shall not make any further constructions. No order as to costs.

Miscellaneous applications, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

December 27, 2022

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