

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

THE HON'BLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION No.19303 of 2023

Bezawada Sambasiva Rao,
S/o.Lakshmaiah, aged about 63 years,
Occ: Milk Business, R/o.Near Sai Baba
Temple, Madu Tirupathirao Nagar,
Yenamalakuduru, Penamaluru
Mandal, Krishna District.

.... Petitioner

Versus

The State of Andhra Pradesh, rep. by
its Principal Secretary Municipal
Administration Department,
Secretariat, Velagapudi, Amaravathi
and another.

....Respondents

ORDER:

Heard the learned counsel for the petitioner and the
learned Standing Counsel for the respondent No.2.

2. This writ petition is filed questioning the notice issued
by the 2nd respondent dated 22.07.2023 directing the
petitioner to remove the cattle shed as the complaints raised
by the neighbours objecting the running of cattle shed in the
residential locality.

3. The learned counsel for the petitioner submits that, the petitioner is paying property tax under the Assessment No.1192033013 and paying Rs.2,000/- per month towards charges for the Prasad Dairy Farmers and the receipt dated 17.05.2023 shows the same. While so, suddenly the 2nd respondent issued the impugned notice dated 22.07.2023 calling the petitioner to remove the said cattle shed without conducting any enquiry and without giving any opportunity to the petitioner to substantiate his case.

4. On the other hand, the learned Standing Counsel appearing for the 2nd respondent submits that, by virtue of the impugned notices of the 2nd respondent dated 22.07.2023, the petitioner can submit his explanation and after considering the same, the 2nd respondent will take an appropriate decision by following the due procedure.

5. In view of the above said facts and circumstances, the petitioner is directed to submit his explanation along with the necessary documents to substantiate his case for the impugned notice dated 22.07.2023 of the 2nd respondent within a period of two (02) weeks from the date of receipt of this order. On receipt of such explanation from the

petitioner, the 2nd respondent is directed to conduct necessary enquiry and appropriate orders shall be passed after hearing all the parties concerned and upon verification of the records and the subject site in accordance with law as expeditiously as possible within a period of eight (08) weeks thereafter. Subject to the outcome of the enquiry only, there shall be an order of *status quo* as on today to be maintained with respect to the subject cattle shed.

6. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

02.08.2023
PGT

JUSTICE B KRISHNA MOHAN