

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

Writ Petition No. 25294 of 2012

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ORDER :
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This writ petition is filed by the petitioners assailing the demand Notice Rc.No.2228/2000/A1, dated 04.08.2012 issued by the 3rd respondent for enhancing the rents over and above 33 1/3% on the existing rent on the ground that the respondents have no power to enhance the rents beyond 33 1/3% on the existing rent as per Rules in force; That in similar circumstances when similar notices were issued, this Court has set aside the same in W.P.No.30082 of 1997 on 30.08.2001 and some of the petitioners herein are parties in the aforesaid writ petition.

2. Counter affidavit is filed by the 3rd respondent stating that most of the petitioners herein have given consent for enhancement of the rent at the time of extension of their leases, as such, they cannot question the action of the respondents in this writ petition. It is also stated that some of the petitioners are not tenants in the year 1997.

3. Heard Sri P.Raghavender Reddy, learned counsel for the petitioner as well as Sri S.D.Goud, learned Standing Counsel for the 3rd respondent.

4. Learned Standing Counsel for the 3rd respondent Corporation produced copies of letters given by some of the petitioners giving consent for enhancing the rents beyond 33 1/3% on the existing rent.

4. Since the petitioners have disputed about the consent being given by some of them for enhancing the rent beyond 33 1/3%, the same can be decided by the respondent Corporation by treating the impugned demand notices as show-cause notices. The petitioners can file individual explanations to the show-cause notices within a period of four (4) weeks from today. The petitioners can raise all their

contentions before the respondent Corporation and that the respondent Corporation shall also consider the aspect of giving consent by some of the petitioners. On such filing, the respondent Corporation may consider such individual explanations filed by the petitioners and pass appropriate orders. If the petitioners fail to file individual explanations within the aforesaid period, it is open for the respondent Corporation to take appropriate action in accordance with law.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition, shall stand dismissed.

A.RAJASHEKER REDDY, J

Date: 01.09.2015.

Note: issue CC in 3 days.

B/o.KVS

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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W.P. No.25294 OF 2012

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Date: 01-09-2015

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