

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.6509 OF 2012

DATED:04.06.2015

Between:

M/s. Emaar Hills Township Private Limited

Manikonda Village, Gachibowli

Hyderabad

Rep. through its authorized representative

Mr. Vijay Raghav ... Petitioner

And

Andhra Pradesh Industrial Infrastructure

Corporation Limited

'Parisrama Bhavanam', 6th Floor

5-9-59/B, Fateh Maidan Road

Hyderabad

Represented by its authorized representative

and others ... Respondents

COUNSEL FOR THE PETITIONER: None appeared

COUNSEL FOR THE RESPONDENTS: None appeared

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed for the following substantive relief:

“...to issue an order or direction more particularly one in the nature of writ of certiorari calling for the records and proceedings of the APIIC and after perusing the same, be pleased to quash the impugned legal notice dated 17.06.2010 (Annexure P-1) and letter dated 19.06.2010 (Annexure P-2) issued by APIIC as bad in law and illegal and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the

case and may also be pleased to issue an order or direction more particularly one in the nature of writ of prohibition restraining APIIC from interfering in any manner whatsoever, with the progress of the Integrated Project de hors its contractual obligations.”

At the hearing, there is no representation for the petitioner. Therefore, the writ petition is liable to be dismissed for non-prosecution. Even otherwise, on merits also the writ petition is liable to be dismissed. The petitioner has challenged the legal notice dt.17.6.2010 issued by respondent No.1. In my opinion, a legal notice is not amenable for challenge in a proceeding under Article 226 of the Constitution of India as the same does not constitute an order adjudicating anyone's rights. By the said legal notice, respondent No.1 has only proposed certain legal action. The petitioner cannot therefore preempt the right of respondent No.1 to indicate its views through the legal notice and institute appropriate legal proceedings in future.

For the above mentioned reasons, the writ petition is wholly misconceived and the same is accordingly dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P. Nos.8260 and 8263 of 2012 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

04-6-2015

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