

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.4072 OF 2012

ORDER

This writ petition is filed for a *writ of mandamus* declaring the impugned notice dated 03.02.2012 issued by the respondent, as illegal and arbitrary.

The case of the petitioner is that he is running a small Engineering shop on lease known as M/s. Universal Coils at H.No.9-9-5/1, Anjaiah Nagar, Hasmathpet, Kukatpally wherein he carries the business of manufacturing and trading of types of heat exchangers cooling equipment, vaporizing condensing coils with 7 employees. It is also stated that the petitioner has been paying the taxes regularly to the Commercial Tax Department. While so, the Deputy Commissioner of Municipal Corporation of Greater Hyderabad issued a notice under Section 516, 521 and 622 (4) of HMC Act, 1955 asking the petitioner to close the business within one week. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner and Sri Sampath Prabhakar Reddy, learned Standing counsel for the sole respondent.

In the instant case, since it is contended that no prior notice was issued to the petitioner before issuing the impugned proceedings, without going into the merits of the case, the impugned notice shall be treated as show cause notice and petitioner is permitted to file explanation to the same within a period of four (4) weeks from today. On such explanation being filed, the respondent authorities may consider the same and pass appropriate orders and thereafter take action in accordance with law. However, if the petitioner does not file explanation in the aforesaid period, it is open for the respondents to take appropriate action as per law within two weeks. Till then, in view of the interim order granted on 16.02.2012, there shall be status-quo obtaining as on today.

With the above direction, 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.

A.RAJASHEKER

REDDY,J

Date: 26.06.2015

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