

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.6427 OF 2015

ORDER :

The grievance of the petitioner is that he is the tenant of the premises, i.e., three mulgies total admeasuring 1800 sq. feet in the ground floor of the premises bearing Municipal H.No.7-4/1, Oppo.ESI Hospital, Nacharam, R.R.District, and he entered into the said property as a tenant by virtue of a rental agreement, dated 10.02.2008 from his landlord Kum.V.Vijaya Lakshmi, D/o.Late Narasimha Reddy and the fourth respondent herein is the attester to the said rental agreement. It is stated that the petitioner has been running the business of footwear in the said premises under the name and style of Central Shoe Co., under valid licence and tax registration certificate by paying taxes to the Government.

It is further stated that during the year 2013, the respondent No.4 started interfering in the business activities of the petitioner demanding to pay the monthly rents to him which was not accepted by the petitioner. It is further stated that the fifth respondent, who is none than the wife of R4, said to have filed a suit against his mother Smt.Arman Anasuya(R6) and others for partition of the property vide O.S.No.422 of 2013 on the file of II Additional District Judge, R.R.District and the same is pending and no specific orders or directions were passed in the said suit against the petitioner herein and further the petitioner herein is not a party to the said suit. But referring the said suit, the fifth respondent issued a notice dated 28.06.2013 directing the petitioner to deposit rents into Court and as the said notice does not hold any legal sanctity, the petitioner ignored the same. Since

then the respondents 4 and 5, without having any manner of right or authority have been making all sorts of disturbances to the petitioner.

It is further submitted that the respondents 4 and 5 have also started making false complaints and influenced the third respondent, who without verifying the facts has illegally issued the impugned notice under Section 402 of Hyderabad Municipal Corporation Act, 1955(for short 'the Act') vide Lr.No.Encr.Road/TPS/KC-1/EZ/GHMC/2015, dated 20.01.2015, which is against the provisions of the Act and also detrimental to the rights of the petitioner. Immediately after receipt of notice from the respondent No.3, the petitioner approached the 6th respondent and furnished the copy to her by explaining the contents of it and illegal activities and also false complaint filed by respondent No.4, for which respondent No.6 approached respondent No.3 and filed suitable reply, dt.21.01.2015 by narrating the facts, how she is suffering in the hands of respondent No.4. Without considering the representation of the petitioner, the respondents are trying to take action as per notice dated 20.01.2015. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner and Smt.A.Deepthi, learned standing counsel appearing for respondents 2 and 3.

Since the petitioner has submitted a representation in response to the notice dated 20.01.2015, it is for the 3rd respondent to consider the same and pass orders. Till such orders are passed by the third respondent, there shall be *status quo* obtaining as on today.

Accordingly, without expressing any opinion on merits, the writ petition is disposed of directing the third respondent to consider and dispose of the representation made by the petitioner in accordance with law, preferably, within two weeks from the date of receipt of copy of this order. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

18.03.2015

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HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.6427 OF 2015

Date: 18.03.2015

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