

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.6719 of 2012

ORDER:

Heard Smt.M.Umadevi, learned counsel for the petitioners and Sri M.Ravindra, learned Standing Counsel for the respondents.

The petitioners challenge the communication dated 18.11.2011, as illegal, violative of principles of natural justice and unconstitutional.

Through the impugned communication, the 2nd respondent in respect of Service Connection bearing S.C.No.177176-A020 as non-domestic called upon the petitioners to pay a sum of Rs.14,604/-. The grievance of the petitioners is that by taking note of a mere display of 1st petitioner, the 2nd respondent has concluded that advocate's office is running and tariff at commercial charges is to be levied.

According to the learned counsel, had the 1st petitioner been put to notice, she would have certainly display all circumstances and the same would have resulted in continue to treat her as a domestic consumer.

Sri M.Ravindra, learned Standing Counsel for the respondents from the material available on record submits that in the peculiar facts and circumstances of this case, the procedure followed by the 2nd respondent is not satisfying the requirement of principles of natural justice. On this short ground, he submits that

the impugned communication can be set aside.

I have perused the material available on record.

Having regard to the submissions of the learned counsel for the respondents, the impugned communication is set aside. It is left open to respondents to consider issuing a show cause notice, if the circumstances warrant and the petitioners are given liberty to file representation in assertion of their case firstly that no office at any point of time was run in the subject premises and the Service Connection be continued as a domestic connection, and thereafter, appropriate orders if necessary can be passed.

With the above observations, the Writ Petition is disposed of. No costs.

Miscellaneous petitions pending if any, shall stand closed.

S.V. BHATT, J

Date: 24.06.2016
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HON'BLE SRI JUSTICE S.V. BHATT

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WRIT PETITION No.24877 of 2009

DATE: 08.06.2016

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