

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

W.P. No.22046 OF 2014

ORDER :

This writ petition is filed challenging the action of the respondents in issuing second show-cause notice Roc.No.277/B1/2013, dated 28.06.2014 to the petitioners directing them to pay the rents for the month of June, 2014 on the ground that they have occupied other shops in addition to the shops allotted to them.

2. Heard both sides.

3. Learned counsel for the petitioners submits that though impugned notice is termed as second show-cause notice, but actually it is a demand notice directing the petitioners to pay the amount, but no prior notice is issued to the petitioners before issuing the impugned notice.

4. On the other hand, learned Assistant Government Pleader for Revenue submits that since the petitioners have occupied the other shops in addition to the shops allotted to them, they were asked to pay the rents.

5. A perusal of the impugned proceedings go to show that though it is termed as 'Second Show-cause Notice', but there is a direction to the petitioners to pay the rents in respect of the shops occupied by them in addition to the shops allotted to them.

6. This Court, by order dated 05.08.2014, granted interim stay of the impugned proceedings directing the petitioners to deposit 50% of the demanded amount i.e., Rs.50,000/- within two weeks from that day with the 2nd respondent.

In view of above, the petitioners shall file reply to the show-cause notice within a period of four (4) weeks from today and thereafter, the 2nd respondent shall consider the same and pass

appropriate orders in accordance with law. Till then, no coercive steps shall be taken against the petitioners. If the petitioners failed to file explanation within the above said period, it is open for the 2nd respondent to enforce the demand against the petitioners.

Accordingly, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending, shall stand closed.

27.04.2016.
kvs

A.RAJASHEKER REDDY, J

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