

THE HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.20677 of 2011

ORDER:

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Heard Mr. G. Pedda Babu for petitioner and Assistant Government
Pleader for respondents.

2. The petitioner prays for the following relief:

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“... to issue a writ, order or direction, more particularly one in the nature of ***Writ of Mandamus***, declaring the order of the 1st respondent in his proceedings No.A/729/2011, dated 19.07.2011 as highly arbitrary, patently illegal, violative of the principles of Natural Justice, contrary to the rights guaranteed by Article 21 read with Ar.300A of the Constitution of India and at any rate not binding on the petitioner and consequently to set aside the same ...”

3. Counsel on both sides submit that in similar circumstances concerning Sy.No.283 of Nizampet village, Quthbullapur Mandal, this Court had allowed the writ petitions in WP.No.21073 of 2011 and batch dated 19.08.2011; WP.No.23399 of 2011 and batch dated 13.09.2011. The operative portion in WP.No.21073 of 2011 and batch dated 19.08.2011 reads as follows:

“The impugned orders are quashed for violation of principles of natural justice, and non-compliance of Rule 3 read with Form-II of the 2007 Rules. The petitioners are permitted to file their objections to the show cause notices within two weeks from today. In case such objections are filed within the aforementioned period, the fourth respondent shall consider the objections, in accordance with law; pass reasoned orders thereupon; and communicate the orders to the petitioners.

In case no objections are filed within the aforementioned period of 15 days, it is open to the fourth respondent to pass orders afresh, in accordance with law, and communicate the said orders to the petitioners. The fourth respondent shall not give effect to the orders to be passed by him, for a period of one week from the date of communication of the orders to the petitioners herein, to enable them to avail such remedies as are available to them in law.”

The instant writ petition is allowed by following the orders referred to

above. The respondents are directed to initiate and conclude the enquiry within two (2) months from the date of receipt of copy of this order. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

S.V. BHATT, J

August 18, 2016
DSK