

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38074 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India aggrieved over the return of application by respondents Nos.6 and 7 herein.

2. Heard and perused the material available on record.

3. It is stated in the affidavit that the petitioner-firm made an application to respondents Nos.6 and 7 for renewal of license by duly paying the required fee. Respondents Nos.6 and 7 returned the application of the petitioner on the ground that the petitioner has not enclosed the building owner declaration, which is a mandatory form for renewal of license. The main grievance is that there is a dispute between the petitioner and the house owner regarding continuation of the petitioner in the premises in question as lessee, for which, the petitioner approached the Civil Court and obtained interim injunction against the owner. Further, it is the grievance that since there is a dispute between the owner and the petitioner, the return of application by respondents Nos.6 and 7 on the ground of non-production of building owner declaration cause prejudice to the petitioner.

4. Considering the facts and circumstances of the case and the submissions made on behalf of the petitioner, without expressing any opinion, the Writ Petition is disposed of with the following direction:

“The petitioner is directed to file a fresh application before the 7th respondent herein enclosing the copies of the plaint in O.S.No.151 of 2015 and the application in I.A.No.256 of 2015 therein along with a copy of the interim injunction

order passed by the Principal Junior Civil Judge, Tenali, Guntur.

On such filing, the 7th respondent is directed to consider the same and pass appropriate orders.”

No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 14th November, 2016

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Date: 14th November, 2016

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