

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.11154 OF 2009

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. to quash the order dated 18.12.2009 in Rc.No.A/4203/2009 on the file of Tahsildar, Charla, Khammam District.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor representing the State.

3. The only contention of the learned counsel for the petitioner is that the learned Executive Magistrate has passed the final order without hearing the petitioner.

4. Learned Public Prosecutor also submitted that the Executive Magistrate has to pass the orders after hearing both sides.

5. It is an admitted fact that the Executive Magistrate has straightaway passed the order dated 18.12.2009 without issuing notice to the petitioner.

6. Having regard to the facts and circumstances of the case, the Tahsildar is hereby directed to issue a notice to the petitioner fixing the date of enquiry and pass appropriate orders after affording reasonable opportunity to both parties. He is further directed not to take any coercive steps till completion of the enquiry.

7. With the above direction, the Criminal Petition is disposed of. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

JUSTICE T.SUNIL CHOWDARY

Date:3.3.2016

AMD

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