

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.36473 of 2016

ORDER:

Heard Mr. S.V. Muni Reddy for petitioner and learned Government Pleader for Agriculture and Marketing.

2. Petitioner in the instant writ petition challenges final notice dated 14.10.2016. The notice refers to two circumstances viz. that M/s. Siva Sakthi Association represented by M. Subrahmanyam Reddy for continuation of business at Rythu Bazar should have applied on or before 15.10.2016 or vacate the shops at Rythu Bazar, Tirupati on 17.10.2016 without fail and another circumstance is that the Estate Officer has to submit explanation for continuation of wood plane beyond the period.

3. This Court is of the view that the fourth respondent, insofar as petitioner is concerned, has found that what has to be done has not been done, therefore, he has to either explain or vacate the place occupied by the association at Rythu Bazar, Tirupati. This Court is also of the view that the time, as granted for applying, is not reasonable. For default in appearing on or before 15.10.2015 ought not to result in serious consequences forthwith. On the other hand, if sufficient time to apply is granted and a final decision in this behalf can be taken by respondents. Therefore, to meet the ends of justice, the writ petition can be disposed of by this order:

- a) Petitioner/Siva Sakthi Association is given three (3) weeks time from today to apply for continuation of

business at Rythu Bazar, Tirupati and also submit explanation against final notice dated 14.10.2016.

- b) The fourth respondent is directed to consider the application made for continuance of business and thereafter, take a decision on the final notice issued.
- c) Till a decision is taken and communicated, the possession of petitioner shall not be disturbed.
- d) The aforesaid exercise shall be completed within three (3) months from today.

The writ petition is disposed of. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

October 27, 2016
DSK



S. V. BHATT, J