

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY**

Writ Petition No.3080 of 2016

-  
Dated 03<sup>rd</sup> February, 2016

**Between:**

B.Ramulu Goud

**...Petitioner**

**And**

Greater Hyderabad Municipal Corporation, rep.by its Commissioner,  
BRK Bhavan, Lower Tank Bund, Hyderabad and another

**...Respondents**

**Counsel for the petitioner: Sri O.Ramesh**

**Counsel for the respondents: ---**

**The Court made the following:**

**ORDER:**

This writ petition is filed for a mandamus to declare the action of the respondents in seizing the petitioner's house without issuing notice and calling for explanation as illegal, arbitrary and against principles of natural justice.

The petitioner pleaded that he is using a small water purifier for his domestic purpose and that when he was away from his house bearing D.No.49-409/C, Padma Nagar-II, Bapu Nagar, Quthbullapur Mandal, Ranga Reddy District, the officials of the respondents have illegally locked the gate and that on coming to know about the same after his return, he has approached respondent No.2 who directed him to pay a sum of Rs.5,000/- as fine and that accordingly, he has paid the fine amount. The grievance of the petitioner is that the respondents have not opened the lock and are contemplating further action for

seizing his house.

When the case came up for hearing on admission in the pre lunch session, Sri Chatla Madhu, learned Standing Counsel for GHMC, has requested for a pass over. In the post lunch session, the learned Standing Counsel on instructions submitted that as the property tax is due from the petitioner, the same was paid by him and that the house was locked during the previous year of which the petitioner has filed the photograph. He has further submitted that as of now, the petitioner's house is not locked and he has been using the same. He has also submitted that the petitioner is running purified drinking water plant without obtaining permission and that the respondents are contemplating to initiate appropriate action against the same.

The learned counsel for the petitioner admitted that after payment of the sum of Rs.5,000/- by the petitioner, the respondents have opened lock and that they are threatening to seize the premises again on the allegation that the petitioner is running the purified drinking water plant without permission.

In my opinion, while the respondents are empowered to take action for closure of the plant if the same is being run without permission, they can do so only after issuing notice to the petitioner and pass an appropriate order after considering the objections if any filed by the latter. Accordingly, the respondents are restrained from seizing the property of the petitioner without following due process of law as indicated above.

Subject to the above direction, the writ petition is disposed of.

As a sequel to disposal of the writ petition, WP.M.P.No.3900 of 2016 shall stand disposed of as infructuous.

**C.V.NAGARJUNA REDDY, J**

03<sup>rd</sup> February, 2016  
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