

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.26788 OF 2010

ORDER:

This Writ Petition is filed challenging the notice, dated 06.10.2010, issued by respondent No.1 mainly on the ground that no prior notice was issued to the petitioners before asking them to evict the subject premises and the same is in violation of principles of natural justice.

2. Learned counsel for the petitioners reiterated the same.

3. Though counter affidavit is filed, except stating that the present impugned notice is issued, it is not stated whether any prior notice was issued to the petitioners before asking them to evict the subject premises. In view of the same, without going into other aspects of the case, as stated in the counter affidavit, the impugned notice is liable to be set aside on the ground of violation of principles of natural justice.

4. Accordingly, the Writ Petition is allowed and the impugned notice, dated 06.10.2010, is set aside. However, liberty is given to the respondent authorities to take action against the petitioners by following due process of law, after issuing notice to them.

5. Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

January 03, 2017
MD