

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.25878 of 2017

ORDER:

This Writ Petition is filed by the family members of the original allottees and the original allottees challenging the notice issued to them asking for their explanation for cancellation of the shops allotted to them on the ground that they sublet the shops to third parties.

The case of the petitioners is that they have submitted the explanation on 10.07.2017 to the show cause notice dated 01.07.2017 and without verifying the fact situation, the third respondent is going ahead with the action of forcible eviction in order to deprive the livelihood of the petitioners.

Since the allegation relates to subletting of the premises by the original allottees or their family members, the said fact can be verified with the oral and documentary evidence, and in view of the same, this Court is not inclined to entertain the present Writ Petition, but remands the matter to the third respondent for making an enquiry in respect of each individual shop and for passing appropriate orders after giving due opportunity to the petitioners. Till then, there shall not be any forcible dispossession of the petitioners from their respective shops.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

03.08.2017
vs

