

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1556 OF 2012

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare order, dated 28.12.2011, in F.No.2888/ T-4/ TC9/ GHMC/ 2011, passed by the 2nd respondent, wherein the assessment and premises number 1-4-880/ 2/ 2-011 was cancelled without issuing any notice, as illegal and arbitrary.

The main grievance of the petitioner is that without giving any notice to her, the 2nd respondent passed the impugned order.

Heard and perused the material available on record.

While hearing the arguments of both the learned counsel, it is evident that the petitioner has a right to prefer an appeal against the impugned order. Therefore, considering the facts and circumstances of the case, this Court is inclined to pass the following order:

The writ petition is disposed of giving liberty to the petitioner to approach the appellate authority concerned challenging order, dated 28.12.2011, passed by the 2nd respondent and raise all the points that are raised before this Court, and the appellate authority concerned shall consider the appeal preferred by the petitioner and pass appropriate orders in accordance with law. If the appellate authority concerned, is of the view that there is inordinate delay in preferring the appeal by the petitioner, the same is directed to be condoned by the authority concerned since the petitioner approached this Court by invoking provisions under Article 226 of the Constitution of India.

There shall be no order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

RAJA ELANGO, J

January 23, 2017
KTL