

HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

WRIT PETITION No.5057 OF 2017

ORDER:

The petitioner assails the proceedings dated 24.1.2017 of the 2nd respondent styled as 'show-cause notice' but demanding the petitioner to pay revised license fee treating the plinth area as 6027 sq. ft. though he was making payment of license fee for plinth area of 5000 sq. ft.

2. Counsel for the petitioner states that no prior notice is given before the demand is made and that it is in violation of principles of natural justice.

3. Sri P. Kesava Rao, Standing Counsel appearing for the respondents 2 and 3 is not able to show that any prior notice was issued to the petitioner before giving impugned show-cause notice.

4. Therefore, the Writ Petition is allowed and the impugned proceedings dated 24.1.2017 is directed to be treated as show-cause notice, the petitioner is directed to submit his explanation thereto within six weeks from the date of receipt of a copy of this order, and thereafter the 3rd respondent is directed to pass a reasoned order after considering the petitioner's explanation and communicate his decision to the petitioner. Till then, the impugned proceedings dated 24.1.2017 shall not be enforced. If the petitioner does not submit any explanation within the time aforesaid, the respondents are at liberty to enforce the impugned proceedings. No order as to costs.

As a sequel, miscellaneous petitions if any pending in the writ petition shall stand closed.

M.S. RAMACHANDRA RAO,J

Dt. 14.02.2017

Note:- CC in 3 days.

(B/O)

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