

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.8855 OF 2017

ORDER:

The writ petition is filed questioning the action of the 2nd respondent in seizing the shop of the petitioner located at Old Ticket Counter, VUDA Park, Phase-I, Visakahapatnam, without issuing any notice. Petitioner had also raised various issues in the writ petition.

Learned Government Pleader appearing for the 2nd respondent, on instructions, submits that no notice was issued to the petitioner before effecting the seizure. However, he submits that there are violations committed in erecting the shop for which liberty may be given to the 2nd respondent to take action in accordance with law.

In the facts and circumstances of the case and as it is admitted that there was no notice issued to the petitioner before putting up a board that the door is locked by VUDA, the said act is unauthorized. Accordingly, the same is liable to be set aside.

Accordingly, the writ petition is allowed directing the 2nd respondent to open the seal and lock of the petitioner's shop and hand over the same to the petitioner forthwith. However, liberty is given to the 2nd respondent to take appropriate action in accordance with law, if there are any violations with respect to lease, license or allotment. No order as to costs.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dated:14.03.2017
Gk

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