

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.15747 of 2017

Order:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner is the owner of Flat bearing No.G-2, Srija Residency, Madhavi Nagar, Jayanagar, Kukatpally, having purchased the same under a registered sale deed. She let out the premises to one Mr. Raju. However, she came to know that the second respondent registered Crime No.75 of 2017, under Section 370(A) IPC and Sections 3, 4 and 5 of PITA Act, 1956, against the said tenant. It appears that the second respondent addressed a letter on 02.02.2017 to the third respondent to seize the flat. In those circumstances, the husband of the petitioner submitted a representation to the second respondent on 15.02.2017 narrating the facts, but in spite of the same the third respondent issued a notice on 15.03.2017 directing the petitioner to appear before him and accordingly the petitioner appeared and submitted her explanation on 25.03.2017, which was followed by another representation dated 19.04.2017 and when no orders were passed by the third respondent the present Writ Petition is filed.

It is clear from the explanation submitted by the petitioner to the third respondent that the petitioner is the owner of the property and she has nothing to do with the alleged offence. In the circumstances, if the petitioner appeared before the third respondent pursuant to notice issued by him, the third respondent should have passed an order.

Since the third respondent has not passed an order in spite of the submission of explanation, this Writ Petition is disposed of directing the

third respondent to consider the explanation submitted by the petitioner and pass appropriate orders in accordance with law within a period of one week from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 27.04.2017
Nsr

