**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

WRIT PETITION NO.28066 OF 2017

**ORDER:**

1. Petitioner claims that he was appointed as Stamp Vendor license No.06-27-006/1983. He was granted Franking Machine License on 30.07.2009. While so, he was served with notice dated 14.02.2017 by the District Registrar calling upon him as to why his stamp vendor license should not be cancelled. This notice resulted in passing orders by the District Registrar on 12.04.2017 cancelling the license granted in favour of the petitioner as Stamp Vendor. By the impugned proceedings dated 11.07.2017, the Chief Controlling Revenue Authority and the Director and Inspector General of Registration and Stamps passed orders cancelling Franking Machine license and the same is assailed in this Writ Petition.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Registration and Stamps.

3. Learned counsel for the petitioner submits that the order impugned is not preceded by notice and therefore, the same is liable to be set aside on that sole ground. Learned counsel also placed reliance on the decision of this Court in WP.No.25555 of 2017 dated 03.08.2017 whereunder a similar cancellation order was set aside.

4. It is seen from the proceedings dated 11.07.2017 that the show cause notice dated 14.02.2017 was mentioned at Sl.No.8. This show cause notice dated 14.02.2017 was issued by the District Registrar for cancellation of stamp vendor license which resulted in passing the order on 12.04.2017. No notice was issued

to cancel Franking Machine license prior to passing the order dated 11.07.2017. Thus, the impugned order dated 11.07.2017 is liable to be set aside on this ground and it is, accordingly, set aside. Having regard to the earlier directions of this Court and the fact that the show cause notice was not issued to the petitioner before cancelling the Franking Machine license, the learned counsel for petitioner fairly submits that the matter can be remitted to the Chief Controlling Revenue Authority and the Director and Inspector General of Registration and Stamps.

5. The Chief Controlling Revenue Authority and the Director and Inspector General of Registration and Stamps is directed to treat the order dated 11.07.2017 as show cause notice and the petitioner shall submit his explanation within two (2) weeks from the date of receipt of a copy of this order. Taking due note of the explanation submitted by the petitioner, the Chief Controlling Revenue Authority and the Director and Inspector General of Registration and Stamps i.e. the second respondent shall pass appropriate order in accordance with law by assigning due reasons in support of his decision.

6. The Writ Petition is, accordingly, allowed and matter is remanded. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

**(P.NAVEEN RAO, J)**

23rd August 2017
RRB