

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.1090 of 2018

ORDER:

In this Writ Petition, under Article 226 of the Constitution of India, the challenge is to the notice, dated 20.12.2017, whereby the petitioner was directed to remit an amount of Rs.200/- towards penal interest and an amount of Rs.2,00,000/- as penalty for not remitting the application fee within the time allowed under law.

Learned counsel for the petitioner would submit that because of intervening holidays up to 03.10.2017, the amount could not be remitted within time and that on 03.10.2017 the amount of Rs.1,00,000/- was paid by way of challan and that the licence was renewed on 04.10.2017 and that however after lapse of two months, the present notice is issued.

Learned Government Pleader would submit that the challenge is only to a notice and that if the petitioner has any grievance, he ought to have submitted an explanation.

Recording the submissions, the Writ Petition is disposed of reserving liberty to the petitioner to submit an explanation to the impugned notice, within two weeks from the date of receipt of a copy of this order. On the petitioner submitting such explanation, the 2nd respondent shall consider and dispose of the same in strict accordance with the procedure established by law as expeditiously as possible and communicate the decision taken thereon to the petitioner and as and when the decision is taken. Till such exercise is completed, the respondents shall not take any coercive action against the petitioner pursuant to the impugned notice.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

M. SEETHARAMA MURTI, J

05.01.2018

Vjl

