

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22781 of 2018

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to declare the action of the respondent No.2 in passing the order in Proc.No.L & O/3028/2017, dated 21.04.2018 seizing the residential house of the petitioner bearing House No.4-4, JPN Nagar, Miypur, without giving any opportunity of hearing to the petitioner and without considering the explanation of the petitioner as illegal and arbitrary.

2. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Home and perused the record.

3. The allegation in the writ petition is that without affording an opportunity of hearing as envisaged under Section 18 (1) of the Immoral Traffic (Prevention) Act, 1956, the order was passed. The petitioner filed explanation to the show-cause notice issued. Matter was adjourned for getting instructions on 05.07.2018 to find out whether any opportunity of hearing was given to petitioner before passing impugned order, but assertion of petitioner to that effect was not disputed.

4. Only on the ground of violation of principles of natural justice in not affording opportunity of hearing to the petitioner, the impugned order is set aside. It is open for the respondents to pass order after affording an opportunity to the petitioner.

5. Accordingly, the writ petition is allowed. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

A.RAJASHEKER REDDY,J

DATED: 09-07-2018

Hsd



