

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.22741 OF 2018

O R D E R

The grievance of the petitioner is that the 2nd respondent – Sub Divisional Magistrate and Revenue Divisional Officer, Ibrahimpatnam Division, Rangareddy District, passed the impugned proceedings No.B/649/2018 dated 26.04.2018 seizing the subject property of the petitioner under Section 370 A(III) of IPC read with Sections 3,4 and 5 of Immoral Traffic (Prevention) Act, 1956, without issuing any notice and opportunity of hearing as envisaged under Section 18(1) of the said Act.

Though time was granted to the learned Assistant Government Pleader for Home on 04.07.2018 to get instructions as to whether any notice has been issued to the petitioner before passing the impugned order, he could not get instructions disputing the assertion of the learned counsel for the petitioner. Today again he seeks time for instructions.

Impugned proceedings do not disclose that petitioner has been given any notice and opportunity of hearing before passing order, seizing the subject property. Therefore, on the ground of violation of principles of natural justice, the impugned proceedings are liable to be set aside and accordingly set aside.

It is made clear that this order will not preclude the competent authority from taking appropriate action after following due process of law.

The writ petition is allowed to the extent indicated above.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:10—07—2018
AVS