

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.28388 of 2018

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration and Urban Development, and Sri D.Ramesh and Sri Nimmagadda Venkateswarlu, learned Standing Counsel.

The principal contention, advanced by the learned counsel for the petitioners, in the present Writ Petition, is that, without being preceded by any show cause notice and giving an opportunity of hearing to the petitioners herein, second respondent herein passed the impugned order, dated 06.03.2018, revoking the building permission.

A perusal of the impugned order clearly discloses that there is a reference with regard to the show cause notice on the same day i.e. 06.03.2018. Even assuming that such a show cause notice is issued by the respondents herein, it cannot be said that the petitioner herein was given reasonable opportunity before passing the impugned order. In the considered opinion of this Court, the said action, on the part of the respondents, is in violation of the principles of natural justice. On that ground alone, the Writ Petition is liable to be allowed.

Accordingly, Writ Petition is allowed, setting aside the impugned notice, dated 06.03.2018, and the matter is remanded to the second respondent herein for consideration afresh. It is open for the second

respondent herein to issue show cause notice and to pass appropriate orders, strictly in accordance with law.

Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, shall stand closed.

A.V.SESHA SAI

20th August, 2018.
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