

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION .NO. 19666 OF 2017

ORDER:

The petitioner states that the 6th respondent is the owner of premises bearing Door No.3-3-21 and 3-3-21/A, situated at Chandramouleswara Agraharam, Guntur district limits of Guntur Municipal Corporation area. The said premises were taken on lease by the petitioner and thereafter he made an application for grant of license to run a bar in the name and style of 'Neelima Restaurant and Bar'.

It is the further case of the petitioner that the 6th respondent executed an agreement on 16.4.2016 granting lease for a period of five years from 1.7.2016 to 30.6.2021 and one of the conditions in the said agreement is that the 6th respondent shall execute a registered lease deed in favour of the petitioner. Since the 6th respondent was postponing the execution of the registered lease deed, the petitioner got issued a legal notice on 8.8.2016 to register the rental deed and the 6th respondent gave a reply with untenable allegations.

In those circumstances, the petitioner filed O.S.No.363 of 2016 on the file of the XII Additional District Judge-cum-Family Court, Guntur and the same is pending. While so, when a notice was issued on 1.6.2017 by the 4th respondent to the 6th respondent as well as to the petitioner to produce valid registered lease deed, the present Writ Petition was filed.

The said notice dated 1.6.2017 was issued on the allegation that the petitioner did not produce a legally valid registered lease deed for considering his case and no interim relief was granted by the Additional District Judge in I.A.1243 of 2016 in O.S.No.363 of 2016 filed by the petitioner. The owner also appears to have stated that he has not extended the lease after 30.6.2016 to the petitioner and the documents produced by the petitioner were forged documents. In order to enquire into those allegations, the 4th respondent issued a notice. The enquiry by the 4th respondent, cannot be interdicted by this Court and the petitioner shall co-operate with the said enquiry. The rights inter-se between the petitioner and the 6th respondent can be agitated in the pending O.S.No.363 of 2016. This Court does not find anything wrong in the impugned notice which was issued pursuant to an enquiry sought to be conducted as against the petitioner on the complaint of the 6th respondent.

The Writ Petition is, accordingly, dismissed reserving the right of the parties in the pending civil suit.

Pending miscellaneous petitions, if any, shall stand dismissed.

No order as to costs.

A. RAMALINGESWARA RAO,J

Date: 26.4.2018

KPM