

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 47581 of 2018

ORDER:

- 1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the proceedings in Rc.No.323/ 2018/ ACP-VI, dated 19.12.2018 issued by the second respondent as illegal, arbitrary and violative of principles of natural justice.
- 2) Though various grounds are raised learned counsel for the petitioner would submit that the action of the authorities in passing the impugned order is in violation of principles of natural justice as no notice was given to him prior to passing of the impugned order.
- 3) The same is opposed by the learned Standing Counsel appearing for the respondents, stating that the petitioner has violated the provisions of Hyderabad Municipal Corporation Act and also occupied the premises without obtaining no objection certificate and as such the question of issuing notice would not arise.
- 4) Having regard to the fact that the impugned order directing the petitioner to close down the function hall and restore the usage of the building for residential public came

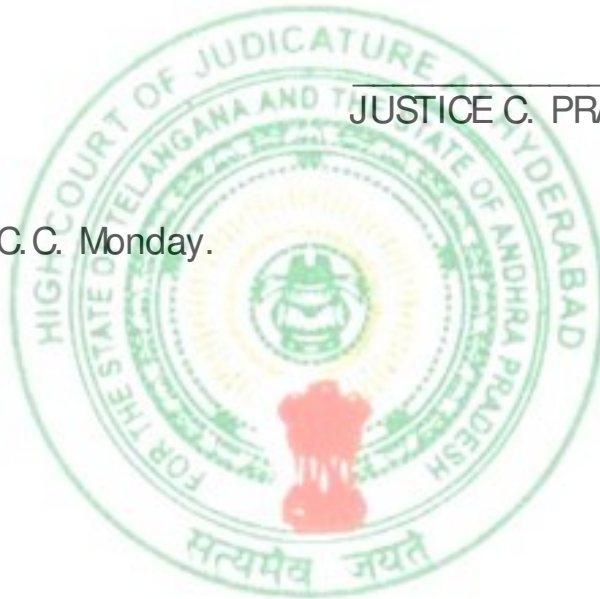
to be passed without giving any notice to the petitioner, the order under challenge is *set aside*, but however the said impugned proceedings shall be treated as a show cause notice to the petitioner and the petitioner shall submit his explanation within seven days from today, in which event, the authorities shall pass orders in accordance with law.

5) Consequently, miscellaneous petitions pending, if any, shall stand dismissed. There shall be no order as to costs.

28.12.2018

Note: Issue C.C. Monday.

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JUSTICE C. PRAVEEN KUMAR