

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6700 of 2019

ORDER:

The petitioners challenge the proceedings dated 18.08.2018 whereunder the permission granted to the petitioners on an earlier occasion i.e., 11.05.2017 to construct an RCC building was revoked, on the alleged ground that the petitioner misrepresented the facts.

Heard learned counsel for the petitioners and the learned Standing Counsel for respondents.

It is not necessary for this Court to make a detailed order as, admittedly, pursuant to the notice issued to the petitioners, the petitioners submitted a detailed representation on 18.12.2018. Now, in the impugned order, though it is mentioned that reply was filed, the same was not considered except stating that the reply submitted on 13.08.2015 was examined and found unsatisfactory. As there is no details with regard to the consideration and the order itself does not indicate consideration of any explanation submitted by the petitioners, the impugned order deserves to be set aside as the same is a non-speaking order affecting the rights of the petitioners.

In the circumstances, the writ petition is allowed by setting aside the order dated 18.08.2018, and leaving it open to the respondent authorities to pass appropriate speaking orders, in accordance with law, after considering the explanation/reply submitted by the petitioners.

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

JUSTICE CHALLA KODANDA RAM

29th March, 2019
KSM

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