

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9802 of 2019

ORDER:

When the matter is taken up, it is submitted by the learned counsel for the petitioner as well as learned Government Pleader for Municipal Administration and Urban Development that under similar circumstances, this Court allowed Writ Petition No.9372 of 2019, vide order dated 26.04.2019. Relevant portion of the aforesaid order reads as under:

“In this case, the notice is challenged on the ground that the same is a non-speaking order and without any reasons. Obviously, the notice is vague and not specific. It is only when the violations are specified in clear terms, the same can be responded to by the noticee. In the case on hand, what all the respondent Corporation sought is only certain documents to be produced before them which has been complied with. On perusing the said documents, the respondent Corporation ought to have issued a specific notice alleging violations, if any so as to enable the petitioner to respond. Having not done so, the Corporation issued the impugned notice directing the petitioner to close down the establishment stating that their request is found unsatisfactory, and it cannot be considered. The said act is, undoubtedly, unmeaningful. In those circumstances, the impugned notice is set aside leaving it open to the respondent authorities to take appropriate steps in accordance with law.

The learned counsel for the petitioner submits that the subject premises has been locked and hence, requests to undo the same. Needless to say, as the impugned notice itself is set aside, the respondent authorities are duty – bound to hand over the keys and remove the seal put to the premises, forthwith.

The Writ Petition with this order, stands allowed. No costs.”

For the reasons alike, this Writ Petition is allowed in terms thereof.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

1st May, 2019

vhb

