

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22663 of 2019

ORDER:

The petitioner is challenging the notice dated 24-09-2019 on the ground that it was issued at the instance of his brother who is in inimical terms with him due to land dispute and said exercise of respondent No.2 is without application of mind and as such the said show-cause notice is to be quashed.

Learned counsel for the petitioner submits that enquiry report basing on which show-cause notice is issued behind back of the petitioner and respondents have already come to the conclusion that the petitioner obtained freedom fighters pension by forged documents.

On the other hand, learned Government Pleader for Revenue submits that on the complaint of brother of petitioner, an enquiry was conducted and after verification of school records it is found that the petitioner was born in April, 1947, as such the impugned show-cause notice was issued and it is only a show-cause notice, the petitioner can file explanation.

In this case, it is to be seen that since the petitioner challenged only the show-cause notice issued basing on preliminary report, I do not see any reason to interdict the same.

Accordingly, this writ petition is disposed of granting liberty to the petitioner to file explanation to the show-cause notice within a period of four weeks and respondent-authorities are directed to supply documents on which they relied on before issuing the show-cause notice and after filing explanation, respondents to consider the same and pass appropriate orders after giving

opportunity of hearing to the petitioner. Till then, no coercive steps will be taken against petitioner. If the petitioner does not cooperate, it is open for the respondent authorities to pass orders in accordance with law. Pending miscellaneous applications if any shall stand closed.

A.RAJASHEKER REDDY,J

25-10-2019

Nvl



