

HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.1050 of 2020

ORDER:

Heard the learned counsel for the petitioners as well as the learned Standing counsel appearing for respondent Nos.2 to 4.

The prayer sought in the writ petition is as under:

“... to issue a writ of Mandamus or any other appropriate writ, inaction of the official respondents in not considering the representation dated 25.11.2019 in respect of shop bearing No.4, Ward No.14, Block-I, admeasuring 83 square feet situated at Mangalhat Market, Hyderabad, is illegal and arbitrary. Subsequently the 4th respondent issued a notice dated 13.09.2019 under Section 4(i) of A.P. Public (Eviction of Unauthorized Occupants) Act, 1968 without any reason, mechanically and without jurisdiction and is in violation of principles of natural justice and without any opportunity, is in violation of Article 14 and 21 of the Constitution of India and set aside the said notice by continuing the petitioner as a tenant of the shop i.e., M/s.Jagadamba Kirana & General Stores, Mangalhat Market, Hyderabad.”

During the course of hearing, it is brought to the notice of this Court that pursuant to the show cause notice dated 13.09.2019 issued by the 2nd respondent – Corporation, the petitioners have submitted their explanation/reply dated 23.12.2019.

Learned Standing counsel informs the Court that though notice of hearing is given to the petitioners on 30.09.2019, they have not appeared before the authority. He submits that the 2nd respondent – Corporation will consider the explanation submitted by the petitioners and pass appropriate orders as per law.

Taking the said submission into consideration, the writ petition is disposed of, directing respondent Nos.2 to 4 to consider the explanation/reply dated 23.12.2019 submitted by the petitioners and pass appropriate orders as per law, within a period of three weeks from the date of receipt of a copy of this order. Till final orders are passed pursuant to the show cause notice dated 13.09.2019, respondent Nos.2 to 4 are directed not to take any coercive steps for evicting the petitioners. No order as to costs.

Miscellaneous petitions, if any, shall also stand disposed of.

Date: 27.01.2020.
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P. KESHAVA RAO, J

