

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.2022 OF 2020

ORDER:

Heard the learned counsel appearing for the petitioner as well as the learned standing counsel appearing for the second respondent Corporation.

2. The prayer sought in the writ petition is as under:

'For the reasons stated in the accompanying Affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to issue a Writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondents no.3 & 4 in canceling the trade license of the petitioner without issuing any notice and ordering the petitioner to stop the trade immediately being carried in the premises bearing H.No.8-7-160/C/Nr, Gouri Nagar, Old Bowenpally, Secunderabad, under the influence of the Respondent no.5, as illegal, arbitrary, capricious and in violation of the principles of natural justice and consequently quash the same thereby restoring the trade license vide TIN No.1199-383-0001 dated 06.02.2019, and to pass such other orders as this Hon'ble Court deem fit and proper in the circumstances of the case.'

2. Learned counsel appearing for the petitioner submits that without issuing renewal notice, the second respondent Corporation is resorting to interfere with the business of the petitioner and cancelled the trade license of the petitioner.

3. From the perusal of the material papers, it is evident that show causes notice *vide* Lr.No.946/KPC-24/GHMC/2019-1 dated 28.09.2019 has been issued to the petitioner. In the said show cause notice, the petitioner

was directed to give explanation within three days from the date of receipt of the notice, failing which action will be initiated as per rules.

4. In response to the said show cause notice, the petitioner submitted an explanation on 07.09.2019 and 30.09.2019. From the perusal of the said explanation, it is revealed that the petitioner also requested the authorities to give an opportunity of audience to place true and correct facts before the authority.

5. Learned standing counsel appearing for the second respondent Corporation, on instructions, submits that pursuant to the explanation submitted by the petitioner for the show cause notice dated 28.09.2019, no orders are passed.

6. Taking the said submission into consideration, the writ petition is disposed of directing the second respondent Corporation to pass appropriate orders on the explanation submitted by the petitioner to the show cause notice dated 28.09.2019 as per law, within a period of four weeks from the date of receipt of the copy of the order. Till orders are passed, no coercive steps should be taken against the petitioner. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE P.KESHA RAO

Date: 18.02.2020

PGS