HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY ,THE TWENTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 18483 OF 2020

Between:

M/s.Renault Hyderabad, (A unit of Sri Sri Sri Auto Cars (I) Pvt. Ltd., Rep. by its Managing Director, Srinivas Membi, S/o.M.Yadagiri, Aged about 55 years, Occ : Managing Director 0/0.3-72-72, Membi Avenue, Saroornagar, Hyderabad - 500 078.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Dept. Secretariat, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner C.C. Complex, Tank Bund Road Hyderabad - 500 063.
3. The Zonal Commissioner, Circle-5, Janpriya Sauda Complex, Krishnaveni Nagar, Kothapet, Saroornagar, Hyderabad, Telangana - 500060.
4. The Assistant City Planner, Saroornagar Division Hyderabad.
5. The Inspector, Trade License Wing L.B.Nagar, G.H.M.C., Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent Nos.2 to 5 in seizing the petitioner's premises bearing No. 3-72-72, Membi Avenue, Saroornagar, Hyderabad by way of sealing/clinching without issuing any notice or without affording any opportunity to the petitioner on the ground that petitioner did not pay the trade license fee as illegal, arbitrary, without jurisdiction, violation of principles of natural justice and Article 19(g) and 21 of Indian Constitution and consequently direct the Respondents not to interfere with the peaceful conduct of business in the petitioner's premises bearing No.3-72-72, Membi Avenue, Saroornagar, Hyderabad.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to remove the seal to the petitioners premises No.3-72-72, Membi Avenue, Saroornagar, Hyderabad, forthwith and permit the petitioner to conduct their business, pending disposal of the writ petition.

Counsel for the Petitioner: SRI T. RAJINIKANTH REDDY
Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT
Counsel for the Respondent Nos.2 to 5: SRI SAMPATH PRABHAKAR REDDY, SC FOR GHMC

The Court made the following: ORDER

9. Two CD Copies

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.18483 of 2020

ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration & Urban Development for respondent No.1, and the learned Standing Counsel for GHMC for respondent Nos.2 to 5. With their consent, the Writ Petition is disposed of at the stage of admission itself.

Questioning the action of the respondents in seizing the premises of the petitioner, the present writ petition is filed.

Learned Standing Counsel, on instructions, has stated that the authorities will remove the locks/seal affixed on the premises of the petitioner, however, liberty may be granted to the respondents to issue a fresh notice to the petitioner, in accordance with law.

Recording the above made submission, the writ petition is disposed of granting liberty to the respondents to issue a fresh notice to the petitioner, strictly in accordance with law. Further, the respondents are also directed to remove the locks/seal affixed on the premises of the petitioner, forthwith.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-I.NAGALAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Dept. State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Greater Hyderabad Municipal Corporation, C.C. Complex, Tank Bund Road Hyderabad - 500 063.
3. The Zonal Commissioner, Circle-5, Janpriya Sauda Complex, Krishnaveni Nagar, Kothapet, Saroornagar, Hyderabad, Telangana - 500060.
4. The Assistant City Planner, Saroornagar Division Hyderabad.
5. The Inspector, Trade License Wing L.B.Nagar, G.H.M.C., Hyderabad.
6. One CC to Sri T. Rajinikanth Reddy, Advocate [OPUC]
7. One CC to Sri Sampath Prabhakar Reddy, SC for GHMC, Advocate [OPUC]
8. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
9. Two CD Copies

HIGH COURT

DATED:21/10/2020



ORDER

WP.No.18483 of 2020

DISPOSING OF THE WP

WITHOUT COSTS

28/10/2020