

**THE HONOURABLE SRI JUSTICE C.PRAVEEN KUMAR**

**WRIT PETITION No.17683 of 2020**

**ORDER:-**

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking the following relief:-

***“.....to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 5<sup>th</sup> respondent in issuing impugned proceedings vide R.C.No.637/2014/MEPMA/L.H., dated 02.09.2020, and locking the petitioner’s medical shop is illegal, arbitrary, ultra vires and violates the constitutional rights guaranteed under Articles 14, 15, 16 and 21 of Constitution of India and direct the 4<sup>th</sup> respondent to withdraw impugned proceedings of the 5<sup>th</sup> respondent issued in R.C.No.637/2014/MEPMA/L.H. dated 02.09.2020 and grant stipulated time and fix the repayment amount as per the law without disturbance of petitioner’s possession and pass ....”***

2. Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development appearing for respondent No.1, Sri Ravi Teja Padiri, learned Standing Counsel appearing for respondent Nos.2 and 3, and Sri M.Manohar Reddy, learned Standing Counsel appearing for respondent Nos.4 and 5.

3. The main ground urged by the learned counsel for the petitioner is that respondent No.5 has no authority to issue the impugned notice, dated 02.09.2020, calling upon the petitioner to pay the amount due in ten days failing which to vacate the medical shop. According to him, the petitioner is willing to pay the entire amount due to the competent authority i.e., respondent No.4 and

hence, respondent No.4 may be directed to accept the money on behalf of respondent No.5, as it is the statutory authority, and protect the interest of the petitioner.

4. Sri M.Manohar Reddy, learned Standing Counsel appearing for respondent Nos.4 and 5, would submit that respondent No.4 has no role in the said transaction. However, he placed on record material to show that till date, the medical shop of the petitioner is not seized and the same is functioning. He further pleads that if the petitioner is willing to pay the entire amount due, definitely, respondent No.4 will accept the money and then, take necessary steps.

5. In view of the statements made across the Bar, this Writ Petition is disposed of directing the petitioner to pay the entire amount due to respondent No.4 within a period of one week from the date of receipt of a copy of this order, of course, in the presence of the representative of respondent No.5 and the same shall be acknowledged. In the event the amount due is paid by the petitioner, respondent No.4 shall take necessary steps and see that the petitioner is allowed to continue in the subject shop till expiry of the lease period. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

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**JUSTICE C.PRAVEEN KUMAR**

Date : 30.09.2020  
AMD/SPP

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