

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

Writ Petition No.3253 of 2015

-
DATED:18.02.2015

Between:

St. Ann's High School,
Tarnaka,
Secunderabad.

... Petitioner

And

The State of Telangana,
Represented by its Principal Secretary,
M.A. &U.D. Department,
Hyderabad and others.

....Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
Writ Petition No.3253 of 2015

Order: (per the Hon'ble the Chief Justice Sri Kalyan Jyoti Sengupta)

After hearing Sri A. Sudershan Reddy, learned Senior Advocate appearing for the petitioner and the learned Standing Counsel for the Greater Hyderabad Municipal Corporation, we dispose of the writ petition by the following order.

As we feel, at this stage, the Court will not interfere with the matter precisely because without giving any chance of hearing to the writ petitioner, the impugned demand notice has been issued. According to us, it is not permissible under the law. However, in order to avoid the technicalities and the prolongation of this matter, we pass the following orders:

Let the impugned demand notice dated 19.1.2015 be treated to be a notice to show cause and the petitioner will be free to make a written representation objecting the aforesaid demand. This shall be done within a fortnight from the date of receipt of a copy of this order and if such representation is made, the Commissioner and/or any official delegated by him should re-consider the objection of the petitioner after serving a notice of hearing and then to pass a speaking order. In that process, it would be open for the Municipal Corporation to pass an appropriate order in accordance with law. Till such hearing takes place, no coercive measures

shall be taken. If no such representation is made by the petitioner, then the issue will be a closed chapter. The demand notice should be treated to be a final one. The entire exercise shall be completed within a period of eight weeks from the date of communication of this order.

The writ petition is accordingly disposed of.

Consequently, the miscellaneous applications, if any pending, shall also stand closed. No order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR,
J

18th February, 2015

Pnb