

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

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

WRIT PETITION Nos.4088, 4098, 4184, 4190, 4478 and 4510 OF 2015

DATED: 26.02.2015

W.P.No.4088 of 2015

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Between:

St. Ann's Prudence, Tarnaka

... Petitioner

And

The State of Telangana and others

... Respondents

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

-
WRIT PETITION Nos.4088, 4098, 4184, 4190, 4478 and 4510 OF 2015

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COMMON ORDER: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

After hearing Sri A. Sudershan Reddy, learned Senior Advocate appearing for the petitioners and the learned Standing Counsel for the Greater Hyderabad Municipal Corporation, we dispose of the writ petitions 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 petitioners, 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 petitioners 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 petitioners 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 petitioners, 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 petitions are accordingly disposed of. No order as to costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

K.J. SENGUPTA, CJ

26th FEBRUARY, 2015.

SANJAY KUMAR, J

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