

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

Writ Petition No. 32932 OF 2012

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Between:

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T.Koteswar Rao.Petitioner

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And

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The Warangal Municipal Corporation,
Warangal and another. ..Respondents

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Date of Judgment pronounced: 11.08.2015

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Submitted for Approval:

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The Hon'ble Sri Justice A.Rajasheker Reddy

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1. Whether Reporters of Local newspapers
May be allowed to see the Judgments? Yes/No

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2. Whether the copies of judgment may be
Marked to Law Reporters/Journals Yes/No

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3. Whether His Lordship wish to see the fair
Copy of the Judgment? Yes/No

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

Writ Petition No. 32932 of 2012

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ORDER :

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This writ petition is filed assailing the proceedings in Rc.No.E1/B2/40233/2012, dated 06.10.2012, wherein the petitioner, who is a civil contractor, was black listed basing on his mis-behaviour with municipal staff and also as several criminal cases have been registered against him.

It is the case of the petitioner that unless the petitioner is found guilty in respect of criminal cases alleged to have been registered against him, he cannot be black listed. It is also the case of the petitioner that no notice was issued before passing the impugned order dated 06.10.2012.

In the counter affidavit, it is not disputed that notice has been issued to the petitioner before passing the impugned order dated 06.10.2012.

Heard Sri A.Prabhakar Rao, learned counsel for the petitioner and Smt. Pingali Laxmi, learned Standing Counsel for the respondents.

The impugned order of black listing the petitioner has serious consequences. This Court and also the Hon'ble Apex Court held many a times that any order affecting the interest of the parties, the concerned person should be put on notice. Admittedly, in this case also, no prior notice has been issued to the petitioner before black listing him. Moreover, mere pendency of criminal cases cannot be a ground for black listing the petitioner.

Only on the ground of violation of principles of natural justice, the impugned order dated 06.10.2012 issued by the first respondent is set aside. However, it is open for the respondent Corporation to take appropriate action, after following the procedure in accordance with law.

Accordingly, the writ petition is allowed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition, shall stand disposed of.

A.RAJASHEKER REDDY, J

11.08.2015.
KVS

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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W.P. No.32932 OF 2012

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Date: 11-08-2015

KVS

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