

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.43106 OF 2016

DATED : 09.12.2016

Between :

M/s.Sunder Weigh Bridge.
Rep., by Proprietor T.Prem Sunder,
Business, Plot No.21A & 22A,
Shop No.118, Balanagar Industrial Area,
Hyderabad.

.. Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Department of Municipal Administration and Urban Development,
Secretariat Buildings, Hyderabad & others

.. Respondents



This court made the following :

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ORDER :

Petitioner claims to have established Weigh Bridge and has been operating the same for a long time. Petitioner challenges the notice dated 03.12.2016. Petitioner alleges that even though explanation was filed on 06.12.2016 received by the Corporation on 07.12.2016, without passing orders on the said explanation, they are trying to take coercive action against the petitioner.

2. Heard learned counsel for the petitioner and learned Standing counsel for the GHMC.

3. A bare perusal of the notice would show that since a complaint is made who is stated to be a Member of Parliament of Medak Constituency, petitioner was asked to furnish the relevant documents in support of establishment of Weigh Bridge. Thus, it is a preliminary exercise undertaken by the Corporation reacting to the complaint and it is for the petitioner to satisfy the authority that he has all the documents in his favour and that he is operating the weigh bridge in accordance with law.

4. By virtue of this writ petition, petitioner is only trying to stall the action that can be taken by the Municipal Corporation, if they are not satisfied with the explanation submitted. Thus, at this stage, this Court is not inclined to interfere with the process initiated by the respondent Corporation. It is not in dispute that if any illegality is committed by any person in violation of the GHMC Act, it is permissible for the authorities of the Corporation to take action against the erring persons.

5. Thus, I am not inclined to entertain the writ petition at this stage. However, till a decision is taken in consequence to the notice issued on 03.12.2016, no coercive action shall be taken against the petitioner.

6. With the above observations, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

9th December, 2016

Note : Issue c.c. by 14.12.2016

B/o.

Rds

