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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 8824 OF 2016

17-03-2016

Between:

Anjuman-e-Khadimul Muslimeen, rep., by its Secretary, Syed
Badrudin Quadri, Mutavalli, S/o. Janab Khadar Mohiuddin Quadri,
aged about 60 years, Occ: Business, O/o.2-4-696, Anjuman Khadimul
Muslimeen Compound, Kachiguda, Hyderabad

... Petitioner

And

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

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

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WRIT PETITION No. 8824 OF 2016

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

The writ petition basically challenges the demand notice dated 10-02-2015, issued by respondent No.3 – Deputy Commissioner, Greater Hyderabad Municipal Corporation.

Sri N. Ashok Kumar, learned counsel appearing for respondent Nos.2 and 3 at the outset invites our attention to Section 220 of the Greater Hyderabad Municipal Corporation Act, 1955 (for short, 'the Act') and submits that the petitioner can file a complaint against the notice and if complaint is made, respondent No.3 shall decide the same on merits in accordance with law.

Having confronted with this, Smt. Jyothi Kiran, learned counsel for the petitioner prays for withdrawal of the writ petition with liberty to the petitioner to file complaint within a period of ten days from today and seeks direction to respondent No.3 to decide the complaint within time frame.

In the circumstances, we are satisfied that the following order shall meet the ends of justice:

Writ petition is disposed of as not pressed. It is open to the petitioner to file a complaint as contemplated by Section 220 of the Act and if any such complaint is made within a period of ten days from today, respondent No.3 shall consider and decide the same on merits, in accordance with law and without entering into the issue of limitation,

as expeditiously as possible and preferably within a period of four weeks from the date of the complaint. All contentions on merits are kept open.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

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