

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 9519, 9520 and 9542 of 2017

Common Order:

Heard learned Senior Counsel Sri S. Niranjan Reddy for the petitioners and learned counsel for the respondents.

These three Writ Petitions challenge the procedure adopted by the respondents in issuing show cause notices dated 08.03.2017 to the petitioners directing them to show cause with respect to certain deficiencies and the proposed action by the first respondent.

A reading of the show cause notice shows that the Council scrutinized the documents submitted by the petitioners through a Scrutiny Committee and it brought out various deficiencies which were indicated in the show cause notice. In the light of the deficiencies pointed out by the Scrutiny Committee, the Council wanted to take action and asked for explanation from the petitioners. The petitioners in turn asked for a copy of the report of the Scrutiny Committee and when the same was not supplied, the present Writ Petitions were filed. The request of the petitioners for a copy of the Scrutiny Committee report was negatived stating that the deficiencies point out by the Scrutiny Committee pertain to documents including the land related documents and the same was indicated in the show cause notice. In the circumstances, the petitioners were asked to attend the Standing Hearing Committee (SHC) meeting scheduled to be held on 20.03.2017 by bringing all the documents mentioned in the show cause notice.

A reading of the show cause notice shows that in paragraph 6 of the notice the deficiencies noticed by the Scrutiny Committee were

pointed out. Those deficiencies relate to non-submission of certain documents indicated therein. Paragraph 7 of the show cause notice asked the petitioners to submit an explanation pursuant to the action of the petitioners in submitting deficient information and fake documents. In that connection, the petitioners asked for copy of the Scrutiny Committee report, but the same was negatived as stated above on the ground that what was asked is only submission of the documents pointed out by the Scrutiny Committee. The show cause notice does not confine to the submission of the documents, but since it requires an explanation from the petitioners, the request of the petitioners cannot be found fault with.

In the circumstances, after arguments, learned counsel for the first respondent fairly accepted for supply of the report of the Scrutiny Committee to the petitioners and the learned Senior Counsel appearing for the petitioners accepted to appear before the Standing Hearing Committee (SHC) on a particular day after going through the committee report along with the documents pointed out as deficient in the report of the Scrutiny Committee.

In view of the above, the first respondent is directed to submit the report of the Scrutiny Committee to the petitioners as sought for by them on or before 24th March 2017 and, on receipt of the same, the petitioners shall appear before the Standing Hearing Committee (SHC) on 03.04.2017 along with their explanations and the documents in their possession, if any.

All the three Writ Petitions are, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in these Writ Petitions shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 17.03.2017
Nsr

