

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.1600 of 2017

ORDER

1st petitioner is the Society and 2nd petitioner is the School represented by B.Raman Rao as their Secretary and Correspondent respectively. 2nd petitioner is an un-aided school, established in the year 1981. However, it received proceedings dated 5.9.2015 indicating that the inspection of the school would be conducted in respect of the fees and the expenditure for the academic years 2014-2015 & 2015-2016 and it was asked to make ready the required records and staff for verification by audit party on 9.9.2015. Thereafter, inspection was conducted and no irregularities were noticed. However, the 3rd respondent issued a show cause notice dated 20.2.2016 levelling certain allegations, for which, the petitioners submitted explanation on 8.3.2016 specifically denying the same. When the 3rd respondent issued another show cause notice on 6.7.2016, the present writ petition is filed.

Learned counsel appearing for the petitioners submits that during the course of enquiry, nothing was found against the petitioners; they have already submitted explanation on 8.3.2016; and hence, the impugned show cause notice is not warranted.

This Court is not inclined to entertain the plea and record a finding one way or the other since the impugned order is only a

show cause notice, for which, the petitioners are entitled to submit their explanation.

Accordingly, the Writ Petition is disposed of giving liberty to the petitioners to submit a detailed explanation to the impugned show cause notice dated 6.7.2016 within a period of fifteen (15) days from the date of receipt of a copy of this order, and after receipt of the said explanation, the 3rd respondent shall consider the same in accordance with law and pass appropriate orders within a period of four weeks thereafter. Till such time, no coercive action shall be taken against the petitioners pursuant to the impugned show cause notice. It is needless to observe that if the petitioners fail to submit the explanation within the time stipulated, it is open to the 3rd respondent to take appropriate action against them, in accordance with law. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

18th January, 2017
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