

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7348 OF 2017

ORDER :

Show cause notice dated 13.02.2017 issued by the 2nd respondent, in exercise of the power under Section 17 of the Andhra Pradesh Municipalities Act, 1965, on the ground that the petitioner is having more than two children and thus, earned a disqualification to continue as a Councillor, is challenged before this Court. Yet another grievance of the petitioner is that he was given only seven days time for submitting his reply.

Though learned counsel for the petitioner seeks to raise various other grounds, it is not necessary for this Court to entertain the same as what all has been impugned in this Writ Petition is only the show cause notice. The petitioner is always at liberty to submit his explanation thereto. As and when a decision is taken after considering the explanation, the petitioner may have a cause of action, which, as of now, is not present to entertain this Writ Petition.

Heard Sri Mohd. Saleem, learned Standing Counsel for the 2nd respondent Municipality.

It appears, on mis-understanding the notice, the petitioner has approached this Court. In that view of the matter and since the time granted to him to submit the explanation also expired, interests of justice would be served if the petitioner is allowed a week's time from today to submit his explanation. Ordered

accordingly. On such submission, the 2nd respondent shall consider the same and take appropriate decision thereon.

The learned Standing Counsel to inform the 2nd respondent the Order of this Court.

The Writ Petition therefore, stands closed granting liberty to the petitioner to submit his explanation in one week from today. No costs.

Consequently, the miscellaneous Applications, if any shall also stand closed.

03rd March 2017

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CHALLA KODANDA RAM, J

