

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION Nos. 1086, 1087 & 1105 of 2017

Date : 5.1.2017

WP 1086 of 2016

Between :

Mr Hosakota Rama Prasad S/o H S Kasinatha
R/o Plot NO. 259 House NO. 1-4-483,
Suraram colony, Jeedimetla, Hyderabad and others

Petitioners

And

The State of Telangana
Rep by its Principal Secretary,
Municipal Administration, Secretariat, Hyderabad and others
Respondents

The Court made the following:



ORAL ORDER:

In these three writ petitions, petitioners challenge the notices issued to them under Section 452 (2) of the Hyderabad Municipal Corporation Act, 1955 without filing explanations to the show cause notices issued to them.

When the matters are taken up, learned standing counsel raised preliminary objection on the maintainability of the writ petitions on the ground that the notices are issued individually to the petitioners, therefore, it is individual cause and individual writ petitions are to be filed. He has also raised another objection that against notices issued under Section 452 (2) of the Act, 1955 effective remedy is available and without filing explanations and without awaiting for further orders to be passed under Section 636 of the Act, 1955 these writ petitions are filed and the same are not maintainable.

Learned counsel appearing for petitioners fairly submitted that no explanations are filed for the notices issued under Section 452 (2) of the Act, 1955.

There is merit in the contentions raised by learned standing counsel. The writ petitions are not maintainable and accordingly the same are dismissed. However, liberty is granted to the petitioners to file their explanations forthwith and if such explanations are filed by the petitioners, it is hoped and expected that same shall be considered by the competent authority before passing further orders in accordance with law, subject to of course, if no notice under Section 636 of the Act, 1955 is already issued. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 5.1.2017
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