

**THE HON'BLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION No.15760 of 2018**

**ORDER:**

Heard learned counsel for the petitioner and Smt.Pingali Lakshmi, learned Standing Counsel.

The order passed by the Deputy Commissioner-third respondent, vide notice bearing No.UC/293/TPBO/EWARD.37 Circle.13 GWMC/2018, dated 17.03.2018, is under challenge in the present Writ Petition.

According to the learned counsel for the petitioner, in response to the notice bearing No.UC/293/TPBO/EWARD-37Circle.13GWMC/2018, dated 15.02.2018, issued by the third respondent herein, under the provisions of Sections 452 (1) and 461 (1) of the Hyderabad Municipal Corporation Act, 1955, petitioner herein submitted an explanation on 24.02.2018. Thereafter, the third respondent, vide the impugned notice, dated 17.03.2018, rejected the said explanation. It is contended by the learned counsel for the petitioner that, without considering the explanation, dated 24.02.2018, the present impugned notice came to be issued by the third respondent and the said action, on the part of the third respondent, is highly illegal, arbitrary, violative of Article 14 of the Constitution of India and in contravention of the principles of natural justice.

On oral instructions, it is submitted by the learned Standing Counsel that the explanation, dated 24.02.2018, would be considered and appropriate final orders would be passed.

In view of the above submission, the Writ Petition is allowed, setting aside the impugned notice bearing No.UC/293/TPBO/EWARD-37 Circle.13 GWMC/2018, dated 17.03.2018, and the matter is remanded to the third respondent for passing appropriate orders after considering the explanation, dated 24.02.2018, submitted by the petitioner herein, strictly in accordance with law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

04<sup>th</sup> June, 2018  
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**A.V.SESHA SAI,J**

