

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

W.P.No.33336 of 2018

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for the State of Telangana for the respondents.

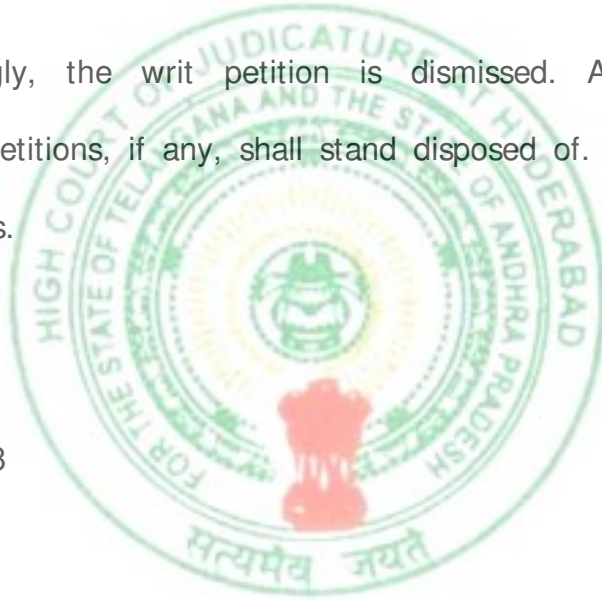
2. According to the petitioner herein, he is the elected Chair-Person of Jammikunta Municipality, Karimnagar District. A notice in Form-II bearing No.E4/2083/2018, dated 30.08.2018, issued by the District Collector, Karimnagar to convene a meeting to consider the No-Confidence Motion against the petitioner herein is under challenge in the present writ petition.

3. Basing on the notice of No-Confidence Motion, dated 13.08.2018 said to have been signed by 19 Ward Members of the said municipality, the District Collector, Karimnagar District, issued the impugned notice, proposing to convene the meeting for consideration of the same on 18.09.2018 at 10-00 AM i.e., tomorrow. According to the learned counsel for the petitioner, the impugned action on the part of the respondent authorities is totally illegal, arbitrary and unreasonable and in violation of the provisions of Section 46 of the Telangana State Municipalities Act, 1965 and Rule 4 of Telangana Municipalities (Motion of No-Confidence in Chairperson/Vice-Chairperson) Rules, 2008 notified vide G.O.Ms.No.158. In elaboration, it is submitted by the learned counsel that the said notice of motion was given by forging the signatures of as many as 8 individuals including the Vice-Chairperson. It is submitted by the learned counsel that since the very basis for the impugned action is vitiated by fraud the official respondents are to be restrained from convening the meeting.

4. Though the impugned notice came to be issued as long back as on 13.08.2018, the petitioner herein came before this Court at the fag end of the situation i.e., one day before the proposal for meeting and there is no explanation forthcoming for approaching this Court after waiting for such a long period. It is also significant to note that the persons whose signatures are alleged to have been forged are also not before this Court nor it is the case of the petitioner herein that the said individuals and the petitioner herein submitted any complaint before the authorities with regard to the same. In the absence of any statutory violation, this Court does not find any merit in the writ petition.

4. Accordingly, the writ petition is dismissed. As a sequel, the miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

Date:17.09.2018
grk



A.V.SESHA SAI, J

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



W.P.No.33336 of 2018

Dated 17.09.2018

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