

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.45314 of 2018

ORDER:

1) Heard learned counsel for the petitioner and learned Standing Counsel for GHMC.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the impugned proceedings No.ADVT/HD/TND/N/0001/2016/ADO(ADVT) 1090, dated 22.11.2018 of respondent No.3, wherein the petitioner was directed to pay an amount of Rs.4448/- towards unauthorized erection advertisement structure and display of advertisements, as illegal and arbitrary.

3) Though various grounds are raised, learned counsel for the petitioner would submit that in spite of giving an explanation to the notice dated 27.09.2018, the authorities, without considering the same, passed the impugned order, which is illegal and incorrect.

4) On the other hand, learned Standing Counsel would contend that though the petitioner referred to the notice dated 27.09.2018 and its reply dated 05.10.2018, the contents of the said reply does not satisfy the demand made by the petitioner. Hence, states that if the material as sought for was furnished, the authorities would have dealt with the same as well.

5) As seen from the record, the notice dated 27.09.2018 relates to submission of records pertaining to advertisement structure erected by the petitioner at plot No.37/73, Helen Keller Inst. Colony, Sri Colony, R.K.Puram, Secunderabad and also erect the AIN Board with correct AIN. A reply came to be given to the said notice on 05.10.2018. Though the said letter refers to the notice dated 27.09.2018, but the contents of the reply relates to payments made for the financial years 2015 to 2018. It appears that the reply, which came to be given to the show cause notice dated 26.06.2018, does not answer the query raised in the notice dated 27.09.2018.

6) Having regard to the above, the order under challenge is set aside directing the petitioner to submit all the information which is sought for in the notice dated 27.09.2018, within a period of one week from today, enclosing all the necessary documents, as demanded by the Corporation in the said notice and thereafter the authorities shall pass orders, in accordance with law. Till such time, no coercive steps would be taken with regard to the subject Board.

7) Accordingly, the Writ Petition is disposed of.

8) There shall be no order as to costs. As a sequel thereto, miscellaneous petitions pending if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Dt: 15.12.2018

vhb