

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 45380 of 2018

ORDER:

1) The present writ petition came to be filed questioning the impugned notice vide No. 635/ ACP/ TPS/ C/ 16/ GHMC/ 2018 dated 22.09.2018 and Notice No.635/ UC/ W No.3/ TPS/ C16/ GHMC/ 2018 dated 23.10.2018, issued by the third respondent under Sections 452 (1) and 461 (1) of the Greater Hyderabad Municipal Corporation Act, 1955.

2) A perusal of the material on record would show that pursuant to the notice dated 22.09.2018, an explanation is said to have been submitted before Circle No.9 of G.H.M.C. Obviously, explanation was never submitted before the authority, who issued the show-cause notice. Hence a notice dated 23.10.2018 came to be issued to submit their explanation within seven days, failing which further action will be taken. Challenging the same the present writ petition came to be filed.

3) Though various grounds are raised touching the merits of the matter, the learned counsel for the petitioners restricts his prayer seeking permission to submit explanation to the notice as no opportunity was given to submit their explanation.

4) Sri L.Venkateswar Rao, learned Standing Counsel appearing for the Corporation would submit that since no action has been initiated so far pursuant to the notice dated 23.10.2018, the

petitioners may be directed to submit their explanation to the notice, in which event the authorities shall deal with it in accordance with law.

5) Having regard to the above, the writ petition is disposed of directing the petitioners to submit their explanation to the show-cause notice dated 23.10.2018, within ten days from today, in which event the authorities shall pass orders in accordance with law.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

18.12.2018  
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JUSTICE C. PRAVEEN KUMAR