

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NOS.12489 AND 12491 OF 2019

COMMON ORDER

Challenge in these writ petitions is to the notices dated 17.06.2017 issued to the petitioners by Madhira Municipality, Khammam District. Perusal of the said notices reflects that the petitioners were called upon to submit their explanation in response thereto.

Sri G.Chanakya, learned counsel representing Sri N.Praveen Kumar, learned standing counsel for Madhira Municipality, would inform this Court that these notices were issued to the petitioners in keeping with the orders dated 11.03.2019 passed in W.A.No.163 of 2019 and W.P.Nos.2061 and 2906 of 2019; W.A.No.164 of 2019 and W.P.Nos.2046 and 2905 of 2019.

Perusal of the said orders reflects that the Division Bench directed as follows:

'In view of the same, the notice, dated 09.01.2019, and the notice, dated 09.02.2019, are set aside. Since the writ petitioner had already filed the explanation, it is for the respondents to pass appropriate orders on the explanation filed by the writ petitioner after affording an opportunity of hearing to the writ petitioner. It is also open to the writ petitioner to file further explanation, if any, within a period of two weeks from today. The respondents are directed to consider the explanation of the writ petitioner and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order after granting opportunity of hearing. Till then, no coercive steps shall be taken against the writ petitioner and the writ petitioner also shall not carry out any construction.'

Having secured the aforestated orders as the appellants in W.A.Nos.163 and 164 of 2019 and the petitioners in W.P.Nos.2061 and

2906 of 2019 and W.P.Nos.2046 and 2905 of 2019, it is not open to the petitioners in these two cases to complain of issuance of notices by the Madhira Municipality. It is for them to respond thereto with necessary documents, if any.

The writ petitions are therefore utterly misconceived and are accordingly dismissed. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

21st JUNE, 2019

Sv

SANJAY KUMAR, J

