THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NOs.14061,14205, 14537, 14581, 14619, 14679, 14704, 14711, 14822, 14835, 14902, 14961, 14963, 14983, 14985, 15005, 15042, 15055, 15106, 15108, 15109, 15110, 15111, 15112, 15113, 15114, 15118, 15121, 15124, 15125, 15157, 15159, 15272, 15276, 15281, 15283, 15303, 15305, 15309, 15326, 15333, 15355, 15544, 15551, 15642, 15665, 15678, 15756, 15760, 15795, 15796, 15804, 15827, 15899, 15985, 16002, 16058, 16115, 16118, 16135, 16158, 16176, 16184, 16208, 16265, 16349, 16364, 16464, 16591, 16738, 16779, 16816, 16904, 16992, 17084, 17120, 17140, 17234, 17258, 17270, 17335, 17421, 17578, 17678, 17978, 17991, 24557& 18264 OF 2019

COMMON ORDER

In pursuance of Ordinance No.4 of 2019 issued for conducting of elections to municipalities, the term of which was expiring on 02.07.2019, 1st respondent – State of Telangana, represented by its Principal Secretary, issued G.O.Rt.No.459 Municipal Administration and Urban Development (MA) Department, dated 29.06.2019 fixing schedule for commencing the delimitation of wards, and for publication of draft and final notification of wards. In pursuance of the said G.O.Rt.459 dated 29.06.2019, draft publication of wards was made on 02.07.2019 and thereafter, final publication was made on 07.07.2019. Challenging the said publications, and contending that the same are in *ultra vires* of Telangana Municipalities Act, 1965 (for short 'the Act'), and the new Rules framed under G.O.Ms.No.78 Municipal Administration and Urban Development (MA) Department dated 29.06.2019, the present batch of writ petitions have been filed.

This court in W.P.Nos.14061 and 14205 of 2019 dated 11.07.2019, granted interim stay of conducting of elections, and similar interim orders were passed in all other writ petitions.

Since it is the mandate of the Constitution to conduct elections within a time bound programme, by following due procedure envisaged under the Act and the Rules framed thereunder, all the respective counsel appearing for the petitioners, learned Additional Advocate General appearing for State of Telangana, Sri G.Vidya Sagar, learned Senior Counsel appearing for State Election Commission, on instructions, would submit that they have come to a consensus for resolution of the dispute, in order to see that the elections are held. The gesture of the learned counsel is appreciated, since this would pave the way in furtherance of conducting elections to the local bodies.

Learned Additional Advocate General, on instructions, submits that fresh objections in writing will be received by the respective Municipal Commissioners from the petitioners, within a period of one week from today, and within a period of one week thereafter, after giving opportunity of hearing, decision will be taken on the said objections in accordance with rules contained in G.O.Ms.No.78 dated 29.06.2019. Thereafter, the respective Municipal Commissioners will submit the reports to the Director of Municipal Administration, who will in turn place the same before the Government.

All the respective counsel appearing for the petitioners, agreed for the above said proposal.

Since the learned counsel for the petitioners agreed for the above proposal of the learned Additional Advocate General, all the writ petitions

are disposed of directing the respective Municipal Commissioners to receive objections from the petitioners in writing within a period of one week from today, and within one week thereafter, after giving opportunity of hearing, the respective Municipal Commissioners shall consider the said objections and take decision and action strictly in accordance with Rules, especially in terms of Rules 4, 5 and 8 of the Rules framed under G.O.Ms.No.78 dated 29.06.2019, including its communication. And it is open for the petitioners to agitate their rights in accordance with law, if they are still aggrieved.

In view of the above consensus arrived at between the parties, the final notification dated 07.07.2019, is set aside and the writ petitions are accordingly allowed to the extent indicated above.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:29—11—2019

AVS