

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.26589 of 2019

ORDER :

The grievance of the petitioner in this writ petition is that the petitioner was issued a Notice dt.08.11.2019 under Section 452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 (for brevity "the Act"), to which the petitioner has submitted an explanation within the stipulated period on 18.11.2019. However, without considering the said explanation, the respondents have passed impugned order No.372/TPS/C1/GHMC/2019, dt.26.11.2019, under Section 452(2) of the Act, which is in violation of the principles of natural justice.

Learned counsel for the petitioner submits that the impugned order dt.26.11.2019 could not be filed along with the writ petition and a copy of the same is placed before this Court during the course of hearing.

Sri Vijay Ashrith, learned counsel for the petitioner, and Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondent No.2 – GHMC could not dispute the fact that the impugned order dt.26.11.2019 was passed without considering the explanation submitted by the petitioner.

In view of the same, the impugned order dt.26.11.2019 issued by respondent No.2 under Section 452(2) of the Act is

set aside and respondent No.2 - Deputy Commissioner, Circle No.1, GHMC, is directed to consider the explanation dt.18.11.2019 submitted by the petitioner in pursuance of the Notice dt.08.11.2019 in accordance with law.

With the above direction, this writ petition is disposed of. It is open for the respondents to take appropriate action in accordance with law, after considering the explanation dt.18.11.2019 submitted by the petitioner, within a period of four weeks from the date of receipt of a copy of this order. No order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

A. RAJASHEKER REDDY, J

02.12.2019.
Msr

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