

**HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)**

FRIDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 19137 OF 2021

Between:

1. R.Narender, Son of Venkatesham, Aged about 50 years, License Holder of Stall Nos.26, 30, 73, 104, in MGBS, Hyderabad
2. P. Ravi Kanth, Son of P.Vithal Rao, Aged about 50 years, License Holder of Stall Nos.6 and 17 in MGBS, Hyderabad.
3. P.Anuradha, Wife of Ravi Kanth, Aged about 45 years, License Holder of Stall No.54 in MGBS, Hyderabad.
4. T.Venkatesh, Son of Lingaiah, Aged about 35 years, License Holder of Stall No.71 in MGBS, Hyderabad
5. T.Sagar Singh, Son of Raja Singh, Aged about 55 years, License Holder of Stall No.14 in MGBS, Hyderabad.
6. P.Parameshwar, Son of License Holder of Stall No.35, in MGBS, Hyderabad
7. C.Om Prakash, Son of Shiv Raj, Aged about 35 years, License Holder of Stall No.65 in MGBS, Hyderabad.
8. N.S.Sri Rama Rao, Son of Srinivasa Rao, Aged about 51 years, License Holder of Stall No.63 in MGBS, Hyderabad.
9. V.Satish Goud, Son of Jahangeer, Aged about 42 years, License Holder of Stall No.C-1 at JBS, Secunderabad.

...PETITIONERS

AND

1. Telangana State Road Transport Corporation, Represented by its Managing Director, Bus Bhavan, Musheerabad, Hyderabad.
2. Senior Customer Relation Manager, Ranga Reddy Region, Telangana State Road Transport Corporation, MGBS, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, directing the respondents to follow the rule of law, complying with the Clause No.28 of the License Deeds, entered into between the Telangana State Road Transport Corporation, and the petitioners by giving one month advance notice in the event of termination of licenses of the petitioners for the reasons contemplated in the Clause No.28 of the License Deeds, declaring the practice being adopted by the respondents evicting the license holders high handedly, immediately on termination of licenses of the stall owners, without giving one month notice as contemplated in the license deeds is highly unjust, unfair, arbitrary and in violation of the Clause No.28 of the License Deeds and in violation of Articles 14 and 21 of the Constitution of India.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to follow the procedure contemplated under Clause No.28 of the

License Deeds of the petitioners by giving one month advance notice to the petitioners in the event of termination of the license of petitioners and directing the respondents not to evict the petitioners highhandedly, immediately on termination of their licenses, pending disposal of the above Writ Petition.

Counsel for the Petitioners: SRI C.RAMACHANDRA RAJU

Counsel for the Respondents: SRI N.PRAVEEN REDDY, SC for TSRTC

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.19137 OF 2021

ORDER:

Heard Sri C.Ramachandra Raju, learned counsel for the petitioners and Sri N.Praveen Reddy, learned Standing Counsel for respondent No.2.

2. A perusal of the record would reveal that respondent No.2 has issued show cause notice of termination dated 24.07.2021 to the petitioners herein alleging non-payment of license fee and also breach of terms and conditions of Deed of License. Seven days time was granted to the petitioners to submit explanation. Accordingly, the petitioners have submitted their explanation on 02.08.2021.

3. Now the grievance of the petitioners is that without considering the said explanation dated 02.08.2021 and without following the procedure laid down under Clause No.28 of the Deed of License dated 30.01.2019, the respondents are trying to dispossess the petitioners, by terminating the Deed of License.

4. Sri N.Praveen Reddy, learned Standing Counsel for respondent No.2, would submit that respondent No.2 has issued the said show cause notice of termination dated 24.07.2021 by invoking clause No.28 of Deed of License dated 30.01.2019 and respondent No.2 will consider the

representation dated 02.08.2021 submitted by the petitioners and pass final orders in accordance with law.

5. In view of the said submission, this Writ Petition is disposed of directing the respondents to consider the explanation dated 02.08.2021 submitted by the petitioners to the show cause notice of termination dated 24.07.2021 and pass appropriate orders in accordance with law, more particularly considering clause No.28(a) of Deed of License dated 30.01.2019, which says that license is liable for termination with one month advance notice on the grounds mentioned therein. Till such exercise is completed, the respondents are directed not to take any further proceedings pursuant to the show cause notice of termination dated 24.07.2021. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-I.NAGALAKSHMI
ASSISTANT REGISTRAR

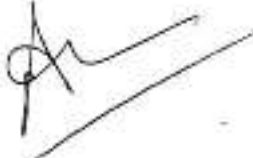
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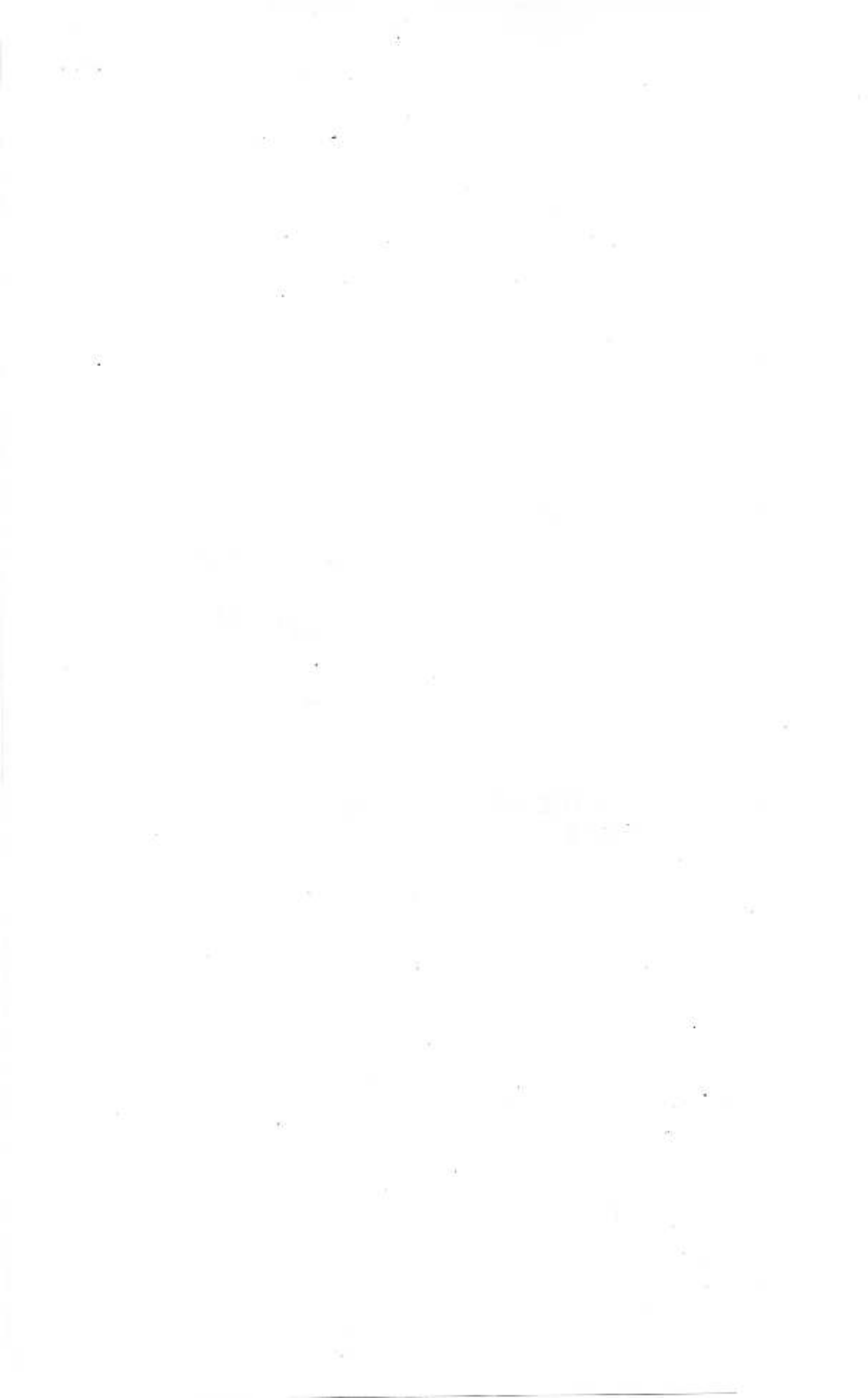
SECTION OFFICER

To,

1. The Managing Director, Telangana State Road Transport Corporation, Bus Bhavan, Musheerabad, Hyderabad.
2. The Senior Customer Relation Manager, Ranga Reddy Region, Telangana State Road Transport Corporation, MGBS, Hyderabad.
3. One CC to SRI. C RAMACHANDRA RAJU Advocate [OPUC]
4. One CC to SRI N.PRAVEEN REDDY, SC for TSRTC [OPUC]
5. Two C.D. Copies.
6. One Spare Copy.

MRC





HIGH COURT

DATED:13/08/2021

ORDER

WP.No.19137 of 2021



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

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[Handwritten date]