

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
 (Special Original Jurisdiction)
 FRIDAY, THE NINTH DAY OF JULY TWO THOUSAND AND TWENTY ONE
:PRESENT:
THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY
WRIT PETITION NO: 15449 OF 2021

Between:

M/s. Pragathi Urban Rural Development Society, (Regd.No.1533/2004) rept by its General Secretary, D. Methushala @ Suresh, S/o. Anandam, Age 57 years, Occ: Labour Contractor, H.No.10-14-1385, Anand Nagar, Nizamabad, Nizamabad District.

...Petitioner

AND

1. The Nizamabad Municipal Corporation, Rept.by its Commissioner, Nizamabad, Nizamabad District.
2. The Commissioner and Director of Municipal Administration, State of Telangana, A.C Guards, Hyderabad.
3. The State of Telangana, Rept. By its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.

...Respondents

WHEREAS the Petitioner above named through its Advocate M/s S. JAGADISH presented this 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 writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in not paying 5% Service Charges to the Petitioner's Society for providing manpower for maintenance of sanitation as was done in case of similarly situated Societies/Contractors for providing manpower to the Municipalities/ Municipal Corporations as void, illegal, arbitrary, discriminatory and unconstitutional and consequently direct the 1st respondent to pay 5% of Service Charge to the petitioner's society for providing manpower for maintenance of sanitation work in the 1st respondent Municipal Corporation.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s S. JAGADISH, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Commissioner, Nizamabad Municipal Corporation, Nizamabad, Nizamabad District.
2. The Commissioner and Director of Municipal Administration, State of Telangana, A.C Guards, Hyderabad.
3. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.

are directed to show cause on or before 10-08-2021 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 1st respondent to pay 5% of Service Charge to the petitioner's society for providing manpower for maintenance of sanitation work in the 1st respondent Municipal Corporation by considering the representation made by the petitioners society dt: 7/6/2021, pending disposal of WP.No.15449 of 2021, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Standing Counsel for respondent No.1 seeks time for filing a counter.

Post on 10.08.2021.

In the meanwhile, the respondent No.1 shall consider the representation made by the petitioner Society on 07.06.2021 and pass necessary orders thereon, strictly on merits and duly affording an opportunity of hearing to the petitioner. A copy of the order passed by respondent No.1 shall be communicated to the petitioner.

**SD/- K.AMMAJI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Commissioner, Nizamabad Municipal Corporation, Nizamabad, Nizamabad District.
2. The Commissioner and Director of Municipal Administration, State of Telangana, A.C Guards, Hyderabad.
3. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad (RR 1 to 3 by RPAD along with a copy of petition and affidavit).
4. One CC to M/s. S. JAGADISH, Advocate [OPUC].
5. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy
ZEE

HIGH COURT

AARJ

DATED:09/07/2021

POST ON 10.08.2021

NOTICE BEFORE ADMISSION

WP.No.15449 of 2021

DIRECTION

