

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.37098 OF 2015

ORDER

Heard Sri A. Jagan, learned counsel for the petitioner, and
Sri P. Krishna Reddy, learned Standing Counsel for the Greater
Hyderabad Municipal Corporation.

The prayer of the petitioner in this case is as under:

“For the reasons disclosed in the accompanying writ affidavit, this Honourable Court may be pleased to issue a Writ, Order or Direction in the nature of Mandamus or otherwise declaring the inaction on the part of the official Respondents in not taking action on the representations of the petitioner d.24-9-2015, 12-10-2015, 19-10-2015 and 2-11-2015 is bad illegal, colourable exercise of power and is opposed to Articles 14 & 19 of the Constitution of India and consequently direct the official respondents to forthwith demolish the unauthorized constructions made by the 5th Respondent at premises No.16-9-424/1, Old Malakpet, Hyderabad and be pleased to pass such other order or orders as this Honourable Court deems fit and proper in the circumstances of the case.”

It appears that the petitioner made representations dated 24.09.2015, 12.10.2015, 19.10.2015 and 02.11.2015 to the authorities of the Greater Hyderabad Municipal Corporation and the same are pending consideration.

In the light of the order proposed to be passed by this Court, there is no necessity to put the unofficial respondent on notice as this Court is not venturing to adjudicate any issue on merits.

As the representations dated 24.09.2015, 12.10.2015, 19.10.2015 and 02.11.2015 made by the petitioner are yet to be acted upon, it is for the authority concerned to apply its mind to the said representations and take action thereon, if warranted, in accordance with the due procedure. In this exercise, the authority would necessarily have to give an

opportunity of hearing to all the parties who would be affected by any decision taken upon the petitioner's representations. Adhering to this procedure, the authority concerned shall duly consider the petitioner's representations dated 24.09.2015, 12.10.2015, 19.10.2015 and 02.11.2015 and take appropriate action in the matter, if warranted, in accordance with law. This exercise shall be completed expeditiously and in any event, not later than three weeks from the date of receipt of a copy of this order.

The writ petition is disposed of with the above directions. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

15th March, 2016
PGS