

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.8870 of 2016

ORDER:

Heard Sri M.A. Basith, learned counsel for the petitioner, and Sri Chatla Madhu, learned Standing Counsel for the first respondent - Greater Hyderabad Municipal Corporation.

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

“For the reasons stated in the accompanying affidavit, the petitioner prays that the Hon'ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of "WRIT OF MANDAMUS" declaring that inaction of the Respondents No.1 & 2 in considering the representation of the Petitioner dated 21.12.2015 by closing down the illegal and unauthorized business of Hotel by name "Anjana Hotel" being carried out by respondent No.4 & 5 in portion of premises bearing No.12-13-94, admeasuring 273.33 sq.yards situated at Street No.3, Tarnaka, Secunderabad without obtaining due licence from the Respondent No.1 as illegal, arbitrary and against the principles of natural justice and consequently direct the Respondents No.1 & 2 to consider the Petitioner's representation dated 21.12.2015, pending disposal of the main Writ Petition, in the interest of justice.”

It appears that the petitioner made representation dated 21.12.2015 to the Commissioner, Greater Hyderabad Municipal Corporation, the first respondent, and the same is pending consideration.

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

As the representation dated 21.12.2015 made by the petitioner is yet to be acted upon, it is for the authority concerned to apply its mind to the said representation 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 representation. Adhering to this procedure, the first

respondent shall duly consider the petitioner's representation dated 21.12.2015 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 four 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.

JUSTICE SANJAY KUMAR

18.03.2016

GJ