

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.14898 of 2016

ORDER:

Heard Sri B. Praveen Kumar Reddy, learned counsel for the petitioner, and Sri S.D. Gowd, learned Standing Counsel for the Tirupati Municipal Corporation.

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

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction, more in the nature of Writ of Mandamus declaring the action of the respondents no. 2 to 5 in not taking any action/steps on my representation/complaint dt. 30.12.2015 and 23.02.2016 as illegal, arbitrary, unconstitutional and violative of settled principles of law and consequently direct the respondent to take appropriate steps against the respondent no.6 to stop the said illegal construction that is being done in Plot No. 26, Sy. No. 314/3b2, New Maruti Nagar, M.R. Pall, Tirupati and pass such other order or orders as this Hon'ble court deems fit in the interest of justice.”

It appears that the petitioner made complaints dated 30.12.2015 and 23.02.2016 to the Tirupati Municipal Corporation, the second respondent, 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 complaints dated 30.12.2015 and 23.02.2016 made by the petitioner are yet to be acted upon, it is for the authority concerned to apply its mind to the said complaints 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 complaints. Adhering to this procedure, the second

respondent shall duly consider the petitioner's complaints dated 30.12.2015 and 23.02.2016 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

27th April, 2016
IBL/PGS