

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6845 of 2016

ORDER:

Heard Mr. V. Ravi Kiran Rao, learned counsel for the petitioner,
and
Ms. M. Bhagya Sri, learned Standing Counsel for the second
respondent Corporation.

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

“For the reasons stated in the accompanying affidavit it is prayed that this Hon’ble Court may be pleased to issue any appropriate Writ, Order or direction more in the nature of Writ of Mandamus declaring the building permit No.BA/36/2015 in file No. G1/36/2015 dated 10-12-2015 issued by the Respondent No.2 i.e. Commissioner, Ramagundam Municipal Corporation, Ramagundam, Karimnagar District in favour of the Respondent No.3 as illegal, arbitrary, violative of principles of natural justice and also contrary to the principles laid down by this Hon'ble Court in respect of the matters arising under the provisions of Hyderabad Municipal Corporation Act 1955 and set aside the same and pass such further or other orders as the Hon’ble Court may deem fit and proper in the circumstances of the case.”

It appears that the petitioner made representation dated 16.06.2015 to the second respondent Corporation 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 respondent on notice as this Court is not venturing to adjudicate any issue on merits.

As the representation dated 16.06.2015 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 second respondent Corporation shall duly consider the petitioner's representation dated 16.06.2015 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.

JUSTICE SANJAY KUMAR

2nd March, 2016
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