

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.14313 of 2016

ORDER:

Heard Sri M.V. Pratap Kumar, learned counsel for the petitioners, and Sri P. Keshava Rao, learned Standing Counsel for the Greater Hyderabad Municipal Corporation.

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

“For the reasons stated in the affidavit filed in support of the writ petition, it is prayed that this Hon'ble Court may be pleased to issue a writ, order or a direction, more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents 2 to 5 in not considering the petitioners' representations dated 26.5.2015, 28.5.2015, 17.7.2015, 20.7.2015, 9.11.2015, 7.4.2016 and 12.4.2016 in relation to the rejection and cancellation of the building permit issued in favour of the respondents 6 to 9 pursuant to file number 699113/24/9/2014/HO, as illegal and arbitrary and consequently direct the respondents 2 to 5 to consider the petitioners representations dated 26.5.2015, 28.5.2015, 17.7.2015, 20.7.2015, 9.11.2015, 7.4.2016 and 12.4.2016 and pass such other order of orders as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.”

It appears that the petitioners made representations dated 26.05.2015, 28.05.2015, 17.07.2015, 20.07.2015, 09.11.2015, 07.04.2016 and 12.04.2016 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 respondents on notice as this Court is not venturing to adjudicate any issue on merits.

As the representations dated 26.05.2015, 28.05.2015, 17.07.2015, 20.07.2015, 09.11.2015, 07.04.2016 and 12.04.2016 made by the petitioners 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 petitioners' representations. Adhering to this procedure, the authority concerned shall duly consider the petitioners' representations dated 26.05.2015, 28.05.2015, 17.07.2015, 20.07.2015, 09.11.2015, 07.04.2016 and 12.04.2016 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 six 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

26th April, 2016
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