

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION No.6391 of 2016**

**ORDER:**

Heard Sri M.A.K. Mukheed, learned counsel for the petitioner, and Sri N. Ashok Kumar, learned Standing Counsel for the Greater Hyderabad Municipal 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 writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the respondents for taking any action against the unauthorized construction being made by the Respondents 4 to 7 over the northern side of the Masjid-e-Mahboob Shahi bearing D.No.5-3-916, situated at Malakunta Road, M.J. Market Road, Hyderabad as is illegal, arbitrary, against the principles of natural justice and in violation of Articles 14 21 and 300-A of the Constitution of India and consequently direct the respondents considering the representation dated 12-01-2016 and 11-02-2016 demolish the unauthorized construction made over northern side adjacent to the Masjid-e-Mahboob Shahi bearing D. No. 5-3-916, situated at Malakunta Road, M.J. Market Road, Hyderabad, in the interest of justice and pass such other order or orders as deemed fit and proper in the circumstances.”

It appears that the petitioner made representation dated 12.01.2016 to the authorities of the Greater Hyderabad Municipal Corporation and the Telangana State Wakf Board, the eighth respondent, also made representation dated 11.02.2016 to the Corporation regarding demolition of illegal constructions at the subject premises and the same are pending consideration.

As the representations dated 12.01.2016 and 11.02.2016 made by the petitioner and the eighth respondent 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 those representations. Adhering to this procedure, the authority concerned shall duly consider the representations dated 12.01.2016 and 11.02.2016 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 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**

29<sup>th</sup> February, 2016  
IBL