

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

**WRIT PETITION No.9588 of 2016**

**ORDER:**

Heard Mr. P. Gangaiah Naidu, learned Senior Counsel appearing for Mrs. G. Bhanu Priya, learned counsel on record for the petitioner and Mr. Chatla Madhu, learned Standing Counsel for the second respondent Greater Hyderabad Municipal Corporation (GHMC).

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

“For the reasons stated in the accompanying affidavit, the Hon’ble Court may be pleased to issue an order or direction, more particularly, a writ of Mandamus the action of respondent 1 to 4 in entertaining the application of R5 dt:12.08.2015 seeking building permission on respect of petitioners Plot No.A-10,in S.No. 195 of Narayanapuram, Alwal admeasuring 555 sq.yds as illegal improper, unjust and contrary to law, and also declare the proceeding R4 vide file No.35605/12/08/2015 NZ Do:21.9.2015 as illegal and contrary to law and pass such other orders as this Hon’ble Court may deem fit and proper.”

By the proceedings dated 21.09.2015, the GHMC appears to have called upon the 5<sup>th</sup> respondent to make the payment due towards BP fees and other charges and also mortgage 10% of the total built up area for taking further action in the matter.

Sri P. Gangaiah Naidu, learned Senior Counsel, would assert that the petitioner’s representation dated 03.08.2015 objecting to the grant of building permission to the 5<sup>th</sup> respondent is still pending consideration and that it would not be open to the GHMC to ignore the same and process the application filed by the 5<sup>th</sup> respondent.

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 03.08.2015 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 shall duly consider the petitioner's representation dated 03.08.2015 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**

23.03.2016

GJ/PGS