

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

**WRIT PETITION No. 5710 of 2016**

**ORDER:**

Heard Sri M.D. Mohapatra, learned counsel for the petitioner, and Sri N.Praveen Kumar, learned Standing Counsel for respondent Nos.2 and 4-Municipal Corporation.

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

“That this Hon’ble Court be pleased to issue writ, order, direction more particularly one in the nature of writ of Mandamus directing the Respondent No.1 to act according to law, consequently direct the Respondent No.1 remove the illegal structure raised by the Respondent No.3 on petitioner property i.e., 10-17, situated at Jogipet Village, and Nagara Panchayat, Andole-Jotipet, Medak District by virtue of illegal permission on the petitioner property, in the interest of justice and pass such other order or orders as this Hon’ble court deems fit and proper in the circumstances of the case.”

3. It appears that the petitioner made representation dated 29.10.2015 to the Commissioner, Nagarpanchayat, Andole-Jogipet, Medak District, first respondent, and the same is pending consideration.

4. As the representation dated 29.10.2015 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 first respondent shall duly consider the petitioner’s representation dated 29.10.2015 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.

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**JUSTICE SANJAY KUMAR**

February 23, 2016  
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