

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6744 of 2016

ORDER:

Heard Sri Thakur Singh, 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 hereby prayed that this Hon’ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the 1st and 2nd respondents in initiating action against the illegal and unauthorized constructions being raised by the respondent No.3 herein in premises bearing H.No.21-4-892, situated at Petlburz, Hyderabad, as illegal, arbitrary and contrary to law and consequently direct the 1st and 2nd respondents herein to forthwith consider petitioners representation dt.16.02.2016 and initiate action on the same and restrain the 3rd respondent herein from proceeding with the illegal and unauthorized constructions in H.No.21-4-893, Petlaburz, Hyderabad, and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.”

It appears that the petitioner made representation dated 16.02.2016 to the authorities of the Greater Hyderabad Municipal 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 16.02.2016 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 authority concerned shall duly consider the petitioner's representation dated 16.02.2016 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

2nd March, 2016

IBL