

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.12398 of 2016

ORDER:

Heard Sri K. Durga Prasad, 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 accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action on the Respondents in continuing the illegal construction by the 7th Respondent at Premises No. 8-2-684/I/1, Bhavani Enclave, Road No.12, Banjara Hills, Hyderabad as illegal, null and void and consequently direct the respondents to demolish the illegal structure constructing by the 7th Respondent in Premises No. 8-2-864/I/1, Bhavani Enclave Road No. 12, Banjara Hills Hyderabad, and to pass such other order or orders as this Hon’ble Court may deem fit just and proper in the circumstances of the case.”

It appears that the petitioners made representation dated 27.01.2016 to 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 27.01.2016 made by the petitioners 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 petitioners’ representation. Adhering to this procedure, the respondent

Corporation shall duly consider the petitioners' representation dated 27.01.2016 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 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

13th April, 2016

Note:-

Issue CC today.

B/o

PGS/IBL