

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7554 of 2016

ORDER:

Heard Sri K. Bhaskar Reddy, learned counsel for the petitioner, and Sri Chatla Madhu, 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 an order or writ, more particularly, in the nature of writ of mandamus declaring the inaction of Respondents in not taking action against the illegal construction made by the

4th respondent and also not considering the petitioner’s representations dt. 23-02-2015, 11-02-2016 and 22-02-2016, as arbitrary, illegal, unjust, unconstitutional and violation of the principles of natural justice and violative of Articles 14, 19, 21 and 300-A of the Constitution of India and consequently direct the respondents to consider the petitioner’s representations and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

It appears that the petitioner made representations dated 23.02.2015, 11.02.2016 and 22.02.2016 to the authorities of the Greater Hyderabad Municipal Corporation and the same are 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 representations dated 23.02.2015, 11.02.2016 and 22.02.2016 made by the petitioner 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 the petitioner's representations. Adhering to this procedure, the authority concerned shall duly consider the petitioner's representations dated 23.02.2015, 11.02.2016 and 22.02.2016 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

9th March, 2016
IBL