

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Writ Appeal No. 1145 of 2016
and
Writ Petition No. 34008 of 2016

Common Judgment: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

While the maintainability of this appeal is doubtful, since the jurisdiction of the Division Bench under Clause 15 of the Letters Patent has not been invoked against any interim order passed by the learned Single Judge, Sri T. Rajinikanth Reddy, learned counsel for the appellant, submits that the writ petition itself can be disposed of directing the second respondent to consider the petitioner's representation wherein they have alleged that respondent Nos. 6 and 7 were proceeding with construction in an open area ear-marked for a public park which vests with the Greater Hyderabad Municipal Corporation.

Sri Sampath Prabhakar Reddy, learned Standing Counsel for the G.H.M.C, submits that, if it is found that open places/parks which are under the control of the G.H.M.C. are being encroached upon and constructions are being raised thereat, action would be taken, against those who have raised such constructions, in accordance with the provisions of the Greater Hyderabad Municipal Corporation Act, 1955.

We consider it appropriate, therefore, to dispose of the writ petition itself directing the second respondent to consider the petitioner's representation in accordance with law at the earliest and, in any event, not later than two months from the date of receipt of a copy of this order. Suffice it to make it clear that, in case the G.H.M.C. intends to take any action against respondent

Nos. 6 and 7, they shall put respondent Nos. 6 and 7 on notice, give them an opportunity of being heard, and only thereafter take action in accordance with law.

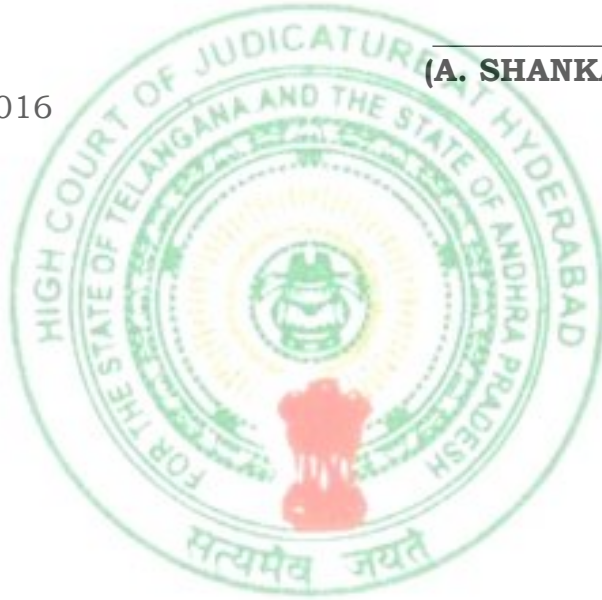
Both the writ petition and the writ appeal are disposed of accordingly. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

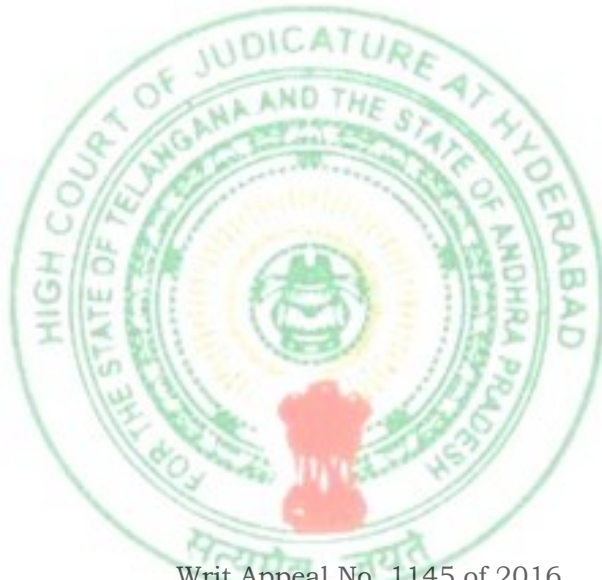
7th November, 2016

pnb

(A. SHANKAR NARAYANA, J)



THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA



Writ Appeal No. 1145 of 2016
and
Writ Petition No. 34008 of 2016

Date: 7.11. 2016

pnb

