

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.10424 of 2016

ORDER:

Heard Sri B. Vijaysen Reddy, learned counsel for the petitioner, and Sri P. Kesava Rao, 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, the petitioner herein prays that this Hon'ble court may be pleased to issue a writ, order or direction more particularly one in the nature writ of mandamus seeking to declare the inaction of the respondent No.2 against the respondent No.3 for raising unauthorized construction in premises bearing No. 1-2-412/4/1, Domalguda, Gaganmahal as being illegal, arbitrary and to consequently direct the respondent No.2 to take effective action against the respondent No.3 for unauthorized construction in premises bearing No.1-2-412/4/1 and be pleased to pass such and other orders that this Hon'ble court may deem fit and necessary in the circumstances of the case.”

It appears that the petitioner made complaint dated 01.03.2016 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 respondents on notice as this Court is not venturing to adjudicate any issue on merits.

As the complaint dated 01.03.2016 made by the petitioner is yet to be acted upon, it is for the authority concerned to apply its mind to the said complaint 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 complaint. Adhering to this procedure, the authority concerned shall

duly consider the petitioner's complaint dated 01.03.2016 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

30th March, 2016
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