

***THE HON'BLE SRI JUSTICE SANJAY KUMAR***

**WRIT PETITION No.9085 of 2016**

**ORDER:**

Heard Sri M.K. Raj Kumar, learned counsel for the petitioner, and Sri Chatla Madhu, learned Standing Counsel for the second respondent 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 prayed that this Hon'ble Court may be pleased to issue a Writ, One in the nature of a Writ of Mandamus or any other appropriate Writ, Direction or questioning the action of the respondents in not taking any action against the 4<sup>th</sup> respondent for making illegal construction without there being any valid permission in the plot bearing no.44, Venkateswara Enclave Opp E Seva Near Suchitra X Roads, Qutubdullapur Mandal, Ranga Reddy District is illegal arbitrary violation of principle of natural justice and violation of Article 14 and 21 of constitution of India and consequently direct the 4th respondent to stop the further construction in the Sy No. 44 Venkateswara Enclave Opp E Seva Near Suchitra X Roads, Qutubdullapur Mandal, Ranga Reddy District and pass such other or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

It appears that the petitioner made representation dated 28.12.2015 to the Commissioner, Greater Hyderabad Municipal Corporation, the second respondent, 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 28.12.2015 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 second respondent shall duly consider the petitioner's representation dated 28.12.2015 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.

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**JUSTICE SANJAY KUMAR**

21.03.2016

GJ