

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 12771 of 2016

ORDER:

Heard Sri Vempati Mallikarjuna Shastry, learned counsel for the petitioner, and Sri N.Rishi Kumar, learned counsel representing

Sri P.Krishna Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation.

2. The prayer of the petitioner in this case is as under:

“It is hereby prayed that this Hon'ble Court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus, to declare the inaction of the respondent authorities in taking action with regard to the illegal and unauthorized construction made in the premises bearing H.No.14-4-344 and 344/1 situated at Multanipura, Begum Bazar, Hyderabad, without any valid permission, inspite of the written complaint dt.18.03.2016 followed by repeated visits, as being illegal, arbitrary and unjust and consequently direct the respondent authorities to take steps to demolish the illegal and unauthorized construction made by the unofficial respondents, and to grant such other relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

3. Sri N.Rishi Kumar, learned counsel, states that the action has already been initiated by the municipal authorities.

4. 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.

5. As action is stated to have already been initiated upon the representation dated 18.03.2016 made by the petitioner, it is for the authorities concerned to take it forward to its logical conclusion 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 18.03.2016 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 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

April 19, 2016
Lmv