

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.13795 of 2016

ORDER:

Heard Sri V. Brahmaiah Chowdary, learned counsel for the petitioner, and Sri Sampath Prabhakar Reddy, learned Standing Counsel for the second respondent – Greater Hyderabad Municipal Corporation.

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

“The Hon’ble Court may be pleased to issue an appropriate writ, order or direction more in the nature of Mandamus, declaring the action of the respondents 2 and 3 herein in not taking any action in pursuance to the representations submitted on 28.10.2015 and 27.10.2015 respectively complaining about the illegal constructions made by the 4th respondent on Plot No.85, Ayyappa Society, Chandanagar as being illegal, arbitrary and is in violation of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 2 and 3 herein to consider and dispose of the aforesaid representations forthwith, and pass such other order or orders as are deemed fit and proper.”

It appears that the petitioner made representation dated 28.10.2015 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 28.10.2015 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 28.10.2015 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.

JUSTICE SANJAY KUMAR

Date: 22.04.2016

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