

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.11858 of 2016

ORDER:

Heard Sri Mehdi Hussain, learned counsel for the petitioner,
and
Sri Pasham Krishna Reddy, 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 it is prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of MANDAMUS declaring the action on the part of respondents 1 to 5 authorities in not taking action against illegal constructions, demolition of illegal structures raised, by the 7th respondent over the property bearing Municipal Door No 23-3-137/B, situated at Moghul Pura Hyderabad having received the complaint dated 8-3-2016 as being Illegal, Arbitrary, Capricious, Malafide, not only contrary to various Provisions of Municipal Corporation Act but also contrary to the G.O.Ms. No 565 dated 4-11-2006 and pass such other order or orders as this Honourable Court may deem think fit and proper in the circumstances of the case.”

It appears that the petitioner made complaint dated 08.03.2016 to the authorities of 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 respondent on notice as this Court is not venturing to adjudicate any issue on merits.

As the complaint dated 08.03.2016 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 08.03.2016 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

11th April, 2016
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