

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.8150 of 2016

ORDER:

Heard Sri M.A. Basith, 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 prays that this Hon’ble Court may be pleased to pass appropriate Order or Direction more particularly one in the nature of “WRIT OF MANDAMUS”, declaring that the inaction by Respondent No.1 & 2 in demolishing the illegal and unauthorized construction in respect of premises bearing M.No.6-3-785/4, & 6-3-786/A, situated at Ameerpet, Hyderabad pursuant to the representation of the Petitioner dated 10.02.2016 as illegal, arbitrary, void and against the principles of natural justice and consequently, direct the Respondent No.1 & 2 to consider the representation dated 10.02.2016 by demolishing the illegal and unauthorized construction in respect of premise bearing M.No.6-3-785/4, & 6-3-786/A, situated at Ameerpet, Hyderabad pending disposal of the main Writ Petition and pass such other order or orders as the Hon’ble Court deems fit in the interest of justice.”

It appears that the petitioner made representation dated 10.02.2016 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 respondents on notice as this Court is not venturing to adjudicate any issue on merits.

As the representation dated 10.02.2016 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 authority concerned shall duly consider the petitioner's representation dated 10.02.2016 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

14th March, 2016
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