

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.9719 of 2016

ORDER:

Heard Sri N. Sreedhar Reddy, learned counsel for the petitioner, and Sri P. Keshava Rao, 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 disclosed in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ of mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of Respondents No.1 and 2 in not considering and disposing of the representation made by the petitioner on 21.02.2016 and 09.01.2015 as illegal and arbitrary and to consequently direct the respondent Nos.1 and 2 to forthwith consider the above representations and demolish the unauthorized structures made on 6th floor of Anvith Avenue, H.No.3-6-218, Street No.16, Himayathnagar, Hyderabad by further directing the Respondent Nos.1 and 2 not to entertain any application made by third respondent herein for regularization of unauthorized structures over and above 2418 Sft on the 6th floor of Anvith Avenue, H.No.3-6-218, Street No.16, Himayathnagar, Hyderabad; Award costs and pass such other or further orders as are deemed fit and proper in the circumstances of the case.”

It appears that the petitioner made representations dated 09.01.2015 and 21.02.2016 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 representations dated 09.01.2015 and 21.02.2016 made by the petitioner are yet to be acted upon, it is for the authority concerned to apply its mind to the said representations 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 representations. Adhering to this procedure, the second respondent shall duly consider the petitioner's representations dated 09.01.2015 and 21.02.2016 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

23.03.2016

GJ