

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.8047 of 2016

ORDER:

Heard Sri J.Suresh Babu, learned counsel for the petitioner, and Sri N. Praveen Kumar, learned Standing Counsel for the second respondent – Nagar Panchayat.

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

“For the reasons stated in the accompanying affidavit, the petitioner herein prayed that this Hon’ble Court may be pleased to issue an appropriate Writ, order or direction, preferably one in the nature of Writ of Mandamus declaring the inaction of the respondents and direct the respondent No.2 herein not to grant any layout or permission for construction in Sy.No.375 of Achampet Village and Mandal proper, Mahabubnagar District, and pass such other orders in the interest of justice.”

It appears that the petitioner made representation dated 30.01.2016 to the Commissioner, Nagar Panchayat, Achampet Mandal Proper, Mahabubnagar District, 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 30.01.2016 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 second respondent shall duly consider the petitioner’s representation dated 30.01.2016 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

14.03.2016

Note:

Furnish C.C. in two days.

(B/o)

GJ