

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.12151 of 2016

ORDER:

Heard Sri B. Madhusudhan Reddy, learned counsel for the petitioners, and Sri P. Keshava Rao, learned Standing Counsel for the Greater Hyderabad Municipal Corporation.

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

“For the reasons stated in the accompanying affidavit, it is prayed that this Honorable Court may be pleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the 1st, 2nd and 3rd, 4th and 5th respondents in taking any action on the complaints made to the respective respondents on 01/03/2016, Grievance No. 2016-03-W231192; 02/03/2016, Inward No. CTZ2016013296; 07/03/2016, Grievance No. 2016-03-W232806; seeking removal of illegal and unlawful construction of basement and sewerage manhole on public road over the HMWSSB water pipe line at H.No.2 -2 -281, Bagh Amberpet, Hyderabad and prevent the contamination and pollution of our water supply, and seeking removal of erection of iron pole with sharp edges on public road at H. No. 2 - 2 - 281, Bagh Amberpet, Hyderabad and prevent the endanger of injuries to us, and to stop unlawful construction of temple on public road right in front of our said house at H. No. 2 - 2 - 533, Bagh Amberpet, Hyderabad and not trouble us to make entry and exit from our above said own house, as illegal, arbitrary and consequently direct the 1st, 2nd and 3rd, 4th and 5th respondents to take appropriate action and pass such other and further orders as are deem fit and proper in the interest of justice.”

It appears that the petitioners made complaint dated 02.03.2016 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 02.03.2016 made by the petitioners 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 petitioners' complaint. Adhering to this procedure, the authority concerned shall duly consider the petitioners' complaint dated 02.03.2016 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

13th April, 2016
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