

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.12275 of 2016

ORDER:

Heard Sri Anantha Nageswar Rao, learned counsel representing

Sri B. Chandrasen Reddy, learned counsel for the petitioner, and

Sri N. Praveen Kumar, learned Standing Counsel for the respondent Nagar Panchayat.

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

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the in-action of the respondents 1 to 3 against the illegal construction being made by the respondents 4 and 5 and others, in Sy No.92 and other survey Nos. of Alamasguda Village, Saroornagar Mandal, Ranga Reddy District is as illegal, arbitrary and against the provisions of the Act and in violation of Articles 14 of the Constitution of India, and consequently direct the respondents 1 to 3 to stop the illegal construction and demolish the same and pass such other order or order as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

It appears that the petitioner made representation dated 06.04.2016 to the authorities of the Badangpet Nagar Panchayat 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 06.04.2016 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 06.04.2016 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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