

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.8325 of 2016

ORDER:

Heard Sri B. Shashidhar, learned counsel for the petitioner, and Sri Y. Rama Rao, learned Standing Counsel for the Hyderabad Metropolitan Development Authority (HMDA).

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

“For the reasons stated in the accompanying affidavit filed in support of the present Writ Petition, it is hereby respectfully prayed that this Hon'ble High Court may be pleased to issue writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the Respondent No.2 in not responding in any way to the Representation of the Petitioner dated 29.02.2016 against the illegality in the Layout Permit No.07/LO/Plg/HMDA in File No.105869/LO/Plg dated 14.08.2015 issued by the second Respondent to the Respondents 3 to 6 as illegal, arbitrary, biased and violative of Articles 14 and 21 of the Constitution of India, and quash the said Layout Permit No.07/LO/Plg/HMDA in File No.105869/LO/Plg dated 14.08.2015 issued by the second Respondent, directing the Respondents 3 to 6 to not to alienate the plots proposed to be developed under said Layout Permit No.07/LO/Plg/HMDA in File No.105869/LO/Plg dated 14.08.2015 in Survey No.61 of Mokila Village, Shankarpally Mandal, Ranga Reddy District, and pass such other order or orders as this Hon'ble High Court may deem fit and proper in the circumstances of the case and in the interests of justice.”

It appears that the petitioner made representation dated 29.02.2016 to the second respondent-HMDA 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 29.02.2016 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 second respondent-HMDA shall duly consider the petitioner's representation dated 29.02.2016 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

15th March, 2016
IBL/PGS