

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.8640 of 2016

ORDER:

Heard Sri Vikhar Ahmed, learned counsel for the petitioner, and Sri Pashyam Krishna Reddy, learned Standing Counsel for the second respondent Greater Hyderabad Municipal Corporation.

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

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents No.2 to 4 in not taking action against the illegal construction made by the 5th respondent in premises bearing No.23-1-219/1, Andheri Galli, Alijah Kotla, Hyderabad, in spite of my representation dt.28.01.2016 as illegal, arbitrary, and violative of principles of natural justice and consequently direct the 5th respondent to stop the construction in the premises bearing No.23-1-219/1, Andheri Galli, Alijah Kotla, Hyderabad, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

3. It appears that the petitioner made representation dated 28.01.2016 to the Assistant City Planner, Greater Hyderabad Municipal Corporation, Hyderabad, the fourth respondent, and the same is pending consideration.

4. 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.

5. As the representation dated 28.01.2016 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 fourth respondent shall duly consider the petitioner's representation dated 28.01.2016 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 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

March 17, 2016
PGS/LMV