

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.22485 OF 2016

ORDER:

Heard learned counsel for the petitioners; learned Government Pleader for Municipal Administration and Urban Development, appearing for respondent No.1; Sri S. Lakshminarayana, learned Standing Counsel for Greater Visakhapatnam Municipal Corporation, appearing for respondent Nos.2 to 6; and learned Government Pleader for Revenue, appearing for respondent Nos.7 and 8. With the consent of the learned counsel appearing for the parties, the present writ petition is disposed of, at the admission stage.

2 . The present writ petition came to be filed with the following prayer:

- (a) “..... to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring inaction on the part of respondents particularly that of 2nd respondent on petitioners' repeated representations including dated 13.05.2016 got issued through their Advocate for protection of open space and park site situated in Santiniketan Cooperative House Building Society Limited in Survey No.86/P of Bakkannapalem Village with approved layout vide L.P.No.70/1988 by 6th respondent, without allowing any burial and cremation activities of human dead bodies adjoining their residential apartment, as illegal, irrational and amounts to non-discharge of legal obligation conferred on 2nd respondent under the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 and rules framed thereunder and offends Articles 14 and 21 of Constitution of India and consequently direct 2nd respondent to

protect the said open space and park site, without allowing any burial and cremation activities of human dead bodies adjoining petitioners residential apartment and to pass such other order or orders

3. Though various grounds are raised in the writ petition, learned counsel for the petitioners restricts his prayer seeking a direction to respondent No.2 to consider the representation dated 13.05.2016, got issued by the petitioners through their advocate, at the earliest.

4. Learned Standing Counsel for the respondents Corporation submits that if the said representation is still pending consideration, the same would be dealt with, in accordance with law.

5. Having regard to the above, and without going into merits of the case, the writ petition is disposed of directing respondent No.2 to consider the representation dated 13.05.2016 made by the petitioner and pass appropriate orders thereon, if the same is still pending consideration, in accordance with law, as early as possible, preferably within a period of four (04) weeks from the date of receipt of a copy of this order, after giving an opportunity of personal hearing to the petitioners.

6. As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed. No order as to costs.

JUSTICE C. PRAVEEN KUMAR

12.07.2016

Msr

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