

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION No.5570 of 2016**

**ORDER:**

Heard Sri P.R.K. Amarender Kumar, learned counsel for the petitioner, and Sri P. Jagadish Chandra Prasad, learned Standing Counsel for the second respondent.

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 order direction more particularly one in the nature of writ of Mandamus declaring the action of the 2<sup>nd</sup> respondent in not taking action on the complaint given by the petitioner on 15.05.2015 as illegal arbitrary and contrary to the provisions of A.P. Urban Area Act, 1975 and consequentially direct the 2<sup>nd</sup> respondent to take necessary action on the complaint given by the petitioner and to pass such other order or orders as this Hon’ble Court may deem fit just and proper in the circumstances of the case.”

It appears that the petitioner made representation dated 15.05.2015 to the Vice Chairman, Visakhapatnam Urban Development Authority, Visakhapatnam, the second respondent, 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 representation dated 15.05.2015 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 shall duly consider the petitioner’s representation dated

15.05.2015 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 three 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**

22<sup>nd</sup> February, 2016  
IBL