

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.15565 of 2016

ORDER:

Heard Sri K. Ravinder Reddy, learned counsel for the petitioner, and Sri Sampath Prabhakar Reddy, learned Standing Counsel for the second respondent – Greater Hyderabad Municipal Corporation.

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

“ The Hon'ble Court may be pleased to issue any writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the official respondents in considering the representations of the petitioner dated 25.04.2016, 13.05.2013 and 27.07.2011 requesting the official respondents to protect the roads in SRI SAINATH NAGAR COLONY in Survey No.316/1, 317/1 and 318 of Chandanagar Village, Serilingampally Mandal, Ranga Reddy District, now under West Zone, GHMC more particularly in front of petitioner's Plot No.50, admeasuring 176 Sq. Yards situated in Survey Nos.316/1, 317/1 and 318 Chandanagar Village, Serilingampally Mandal, Ranga Reddy District, as illegal, arbitrary and in violation of Article 14 and 21 of the Constitution of India besides in violation of H.M.C. Act consequently direct the official respondents to protect the roads in SRI SAINATH NAGAR COLONY in Survey No.316/1, 317/1 and 318 of Chandanagar Village, Serilingampally Mandal, Ranga Reddy District from the hands of encroachers 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 representations dated 25.04.2016, 13.05.2013, 26.07.2011 and 25.04.2016 through his GPA holder to the Commissioner, Greater Hyderabad Municipal Corporation, the second respondent, and the same are 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 representations dated 25.04.2016, 13.05.2013, 26.07.2011 and 25.04.2016 made by the GPA holder of the petitioner

are yet to be acted upon, it is for the authority concerned to apply its mind to the said representations 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 said representations. Adhering to this procedure, the second respondent shall duly consider the representations dated 25.04.2016, 13.05.2013, 26.07.2011 and 25.04.2016 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 six 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

29.04.2016

GJ/PGS