

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

**WRIT PETITION No.10805 of 2016**

**ORDER:**

Heard Sri K. Rathangapani Reddy, learned counsel for the petitioner, and Sri P. Keshava Rao, learned Standing Counsel for the Greater Hyderabad Municipal Corporation.

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, order or direction more particularly one in the nature Writ of Mandamus, declaring the action of the 2<sup>nd</sup> respondent in granting permission for construction to the 3<sup>rd</sup> respondent in Permit No.45053/DC/SQZ/Cir-4/2015 in File No.30888/3/07/2015/C04, dated 16.9.2015 even without causing any site inspection and the further action of the 2<sup>nd</sup> respondent in not taking any steps on the complaint submitted by the petitioner on 21.03.2016 complaining that the 3<sup>rd</sup> respondent is guilty of suppression of material facts and raising the construction blocking the 8 Ventilators and Window existing on the eastern side of the petitioner's house as illegal, arbitrary and in flagrant disregard to law and violation of Article 14, 19, 21 of the Constitution of India and consequently cancel the aforesaid permission accorded to the 3<sup>rd</sup> respondent, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

It appears that the petitioner made complaint dated 21.03.2016 to the Greater Hyderabad Municipal Corporation, 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 complaint dated 21.03.2016 made by the petitioner is yet to be acted upon, it is for the authority concerned to apply its mind to

the said complaint 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 complaint. Adhering to this procedure, the second respondent shall duly consider the petitioner's complaint dated 21.03.2016 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.

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**JUSTICE SANJAY KUMAR**

1<sup>st</sup> April, 2016  
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