

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 6080 of 2016

ORDER:

Heard Sri C. Narendra Reddy, learned counsel representing

Sri Ande Madhava Rao, learned counsel for the petitioner, and Sri P. Kesava Rao, learned Standing Counsel for the Municipal Corporation, respondent Nos.2 to 4.

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

“Hon’ble court may be pleased to issue any appropriate writ order or direction essentially in the nature of writ of Mandamus directing the respondents 2 to 4 to demolish the house property of the respondent No.5 which was illegally constructed in plot No.15, Bathkammakunta, Amberpet, Hyderabad, pursuant to the final demolition notice dated:6.4.2015 issued by the respondents 2 to 4 and pass such 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 representations dated 01.07.2015, 05.10.2015 and 22.01.2016 to the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad, the second respondent, and the same are pending consideration.

4. In the light of the order proposed to be passed by this Court, there is no necessity to put the unofficial respondents on notice as this Court is not venturing to adjudicate any issue on merits.

5. As the representations dated 01.07.2015, 05.10.2015 and 22.01.2016 made by 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 petitioner's representations. Adhering to this procedure, the second respondent shall duly consider the petitioner's representations dated 01.07.2015, 05.10.2015 and 22.01.2016 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 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

February 25, 2016
LMV