

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7714 of 2016

ORDER:

Heard Sri L.N.R. Rajeswar Rao, learned counsel for the petitioner, and Sri Y. Rama Rao, learned Standing Counsel for the second respondent-HMDA.

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

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Mandamus declaring the action of the Respondent in granting the permission vide letter No. 103674/BP/ORRGC/PLG/HMDA/ 2014, dated 29-06-2015, Metropolitan Commissioner, Director Planning II i/C, in the 2nd Respondent Office as illegal, arbitrary, violation of principles of natural justice and consequently to direct the 2nd Respondent to cancel the aforesaid permission and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

It appears that the petitioner made representation dated 16.09.2015 to the second respondent 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 respondents on notice as this Court is not venturing to adjudicate any issue on merits.

As the representation dated 16.09.2015 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 16.09.2015 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 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.

JUSTICE SANJAY KUMAR

11th March, 2016
IBL/PGS