

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7959 of 2016

ORDER:

Heard Sri V. Hari Haran, learned counsel for the petitioner, and Sri P. Kesava 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 a writ, order or direction more in the nature of a writ of mandamus declaring inaction on the part of the Respondent No.1 to 3 in not taking any action against the unofficial Respondent No.4 and tacitly allowing the Respondent No.4 to construct Second Floor on the premises No. 1-9-700/8, Adikmet, Vidyanagar, Hyderabad without any building or construction permission from the Respondent No.1 to 3 as wholly illegal, arbitrary and contrary to the provisions of the Constitution of India and consequential reliefs 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 complaint dated 07.09.2015 to the authorities of the Greater Hyderabad Municipal Corporation 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 07.09.2015 made by the petitioner is yet to be acted upon, it is for the authority concerned to apply its mind to the said 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 authority concerned shall

duly consider the petitioner's complaint dated 07.09.2015 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
PGS/IBL