

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.12090 of 2016

ORDER:

Heard Sri T. Surya Satish, learned counsel for the petitioner, and Sri P. Krishna Reddy, 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 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 writ of mandamus challenging the action of the Respondent nos. 2 and 3 in entertaining the application dated 15.02.2015 made by the Respondent nos. 4 to 7 for mutation of their names by removing the name of late Sri B. Balraj in respect of H.No.2-4-69/1/B, Gandhinagar, Uppal, Hyderabad belonging to the Petitioner herein, as illegal, arbitrary, contrary to the provisions of the Greater Hyderabad Municipal Corporation Act, violative of the principles of the natural justice, violative of the Articles 14 and 300A of the Constitution of India and to pass such other order(s) as may be deemed fit and proper.”

Sri T. Surya Satish, learned counsel, would state that the municipal authorities are yet to carry out the mutation in favour of the unofficial respondents and that his client's objections in this regard under representation dated 09.12.2015 are already before the municipal authorities.

In that view of the matter, as this Court does not propose to adjudicate any issue on merits, no cause is made out for putting the unofficial respondents on notice.

As the municipal authorities are yet to take a decision as regards the mutation and as the petitioner's objections under representation dated 09.12.2015 have already been received by them, it is for the authorities concerned to apply their mind to the matter. The municipal authorities shall give due opportunity of hearing to all parties

concerned and thereafter take a reasoned decision in accordance with law. All issues are left open.

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

13th April, 2016
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