

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.9440 of 2016

ORDER:

Heard Sri Pushadapu Subba Rao, learned counsel for the petitioner, and Sri Chatla Madhu, learned Standing Counsel for the second respondent – Greater Hyderabad Municipal Corporation.

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

“It is therefore prayed that this Hon'ble Court may please to issue Writ, Order or orders more particularly in the nature of mandamus thereby declaring the inaction of the official Respondents No.2 and 3 herein on the representation, dated 19.03.2016 made by the petitioner, as illegal, arbitrary and against the principles of Greater Hyderabad Municipal corporation Act and consequently directing the respondents herein to remove an illegal construction in and over the land adm.210 Sq.Yards approximately (52 gt. X 36.4 ft.) covered under Gramakantam land, situated at Gajularamaram Village, Qutubullapur Municipal Circle, G.H.M.C., Qutubullapur Mandal, R.R. District making by the unofficial Respondent No.4 to 7 herein and to pass such other order or orders that are deemed as fit and proper in the circumstances of the case.”

It appears that the petitioner made representation dated 19.03.2016 to the Commissioner, 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 respondents on notice as this Court is not venturing to adjudicate any issue on merits.

As the representation dated 19.03.2016 made by the petitioner is yet to be acted upon, it is for the authority concerned to apply its mind to the said 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

19.03.2016 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.

JUSTICE SANJAY KUMAR

22.03.2016

GJ