

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.11745 of 2016

ORDER:

Heard Sri Venkateswarlu Sanisetty, learned counsel for the petitioner, and Sri P. Keshava Rao, learned Standing Counsel for the second respondent – Greater Hyderabad Municipal Corporation.

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

“The Hon’ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent authorities in not taking any action with regard to the illegal and unauthorized construction of fourth floor made by the 4th respondent in premises bearing No.8-3-229/C/10, admeasuring 223 Sq.yrds., inspite of the written complaints dt. 20-02-2015, 04-09-2015, 03-03-2016, 10-03-2016 as being illegal, arbitrary and unjust and consequently direct the respondent authorities to remove the illegal and unauthorized made by the 4th respondent and pass such order or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

It appears that the petitioner made representations dated 20-02-2015, 04-09-2015, 03-03-2016, 10-03-2016 to the Commissioner, Greater Hyderabad Municipal Corporation, the second respondent, and the same are 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 representations dated 20-02-2015, 04-09-2015, 03-03-2016, 10-03-2016 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 20-02-2015, 04-09-2015, 03-03-2016, 10-03-2016 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

11.04.2016

GJ