

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.11501 of 2016

ORDER:

Heard Sri Karri Murali Krishna, learned counsel for the petitioner, and Sri Pasham 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 affidavit, it is prayed that this Honorable Court may be pleased to issue an appropriate Writ, order or direction mostly one which is in the nature of a Writ of mandamus, declaring the inaction of the 3rd Respondent in removal of unauthorized structures raised in the constructions carried on by the 4th Respondent at premises bearing No. 18-12-418/10/58/2/A/1 and 2 in Survey No. 156 or Kandikal village, Charminar Mandal, Hyderabad District in pursuance of Lr No. 54/A/2/ACP/C4 (B)/SZ/GHMC/2015, dated 24-3-2016 as illegal, irregular, arbitrary, unconstitutional, unjustified and unsustainable and pass such an order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.”

It appears that the petitioner made representation dated 19.03.2016 to 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 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

Corporation 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

27th April, 2016
PGS