

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION No.6866 OF 2016**

**ORDER:**

Heard Sri S. Balchand, learned counsel for the petitioners, and Sri P. Kesava Rao, learned Standing Counsel for the second respondent Municipal Corporation.

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

‘For the reasons stated in the accompanying affidavit, the Hon’ble Court may be pleased to pass an order particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondent No. 3 in not taking any action on representation of the Petitioners dated 19-01-2016 as arbitrary, illegal, unjust, unfair, unreasonable, malafide, discriminatory and against the principles of natural justice and amounting to violation of Articles 14 and 21 of the Constitution of India and consequently direct Respondent No. 2 and 3 to initiate appropriate action against the illegal construction work undertaken by Respondent No. 4 and 5 in premises bearing Municipal No. 3-4-469 measuring 186.27 square yards, situated at Barkatpura, Hyderabad and pass such other order or orders as this Hon’ble Court deems fit and proper in the circumstances of the case.’

It appears that the petitioners made representation dated 19.01.2016 to the Assistant City Planner, Circle No.9, Greater Hyderabad Municipal Corporation, Hyderabad, the third 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 19.01.2016 made by the petitioners 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 petitioners' representation. Adhering to this procedure, the third respondent shall duly consider the petitioners' representation dated 19.01.2016 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 three 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.

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**JUSTICE SANJAY KUMAR**

**3<sup>rd</sup> MARCH, 2016**

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