

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.15343 of 2016

ORDER:

Heard Smt. B.V. Aparna Lakshmi, learned counsel for the petitioner, Sri Rishi Kumar, learned counsel representing Sri N. Ashok Kumar, learned Standing Counsel for the second respondent – Greater Hyderabad Municipal Corporation and Sri Y. Rama Rao, learned Standing Counsel for the third respondent - Hyderabad Metropolitan Development Authority.

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

“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, declaring the action of the Respondents No. 2 & 3 in not taking action for illegal and unauthorized constructions over the Plot No. A63 & 64, in Sy.Nos. 47, 48 & 52, admeasuring 518.40 Sq.yards, situated at Premavathipet Village, Gaganpahad, Rajendranagar Mandal, Ranga Reddy District as illegal, arbitrary, unconstitutional and consequently praying this Hon'ble Court to direct the Respondents No. 2 & 3 to take immediate action for demolition of structures raised by the Respondents No. 4 to 7 as per the representation of the petitioner dated 05-03-2015 and 09-03-2015, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

It appears that the GPA holder of the petitioner made representations dated 04.03.2016 and 09.03.2016 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 respondents on notice as this Court is not venturing to adjudicate any issue on merits.

As the representations dated 04.03.2016 and 09.03.2016 made by the GPA holder of 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 said representations. Adhering to this procedure, the second respondent shall duly consider the representations dated 04.03.2016 and 09.03.2016 made by the GPA holder of the petitioner 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 six 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

29.04.2016

GJ/PGS