

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.13929 of 2016

ORDER:

Heard Sri B. Papa Rao Goud, learned counsel for the petitioner, and Sri P. Krishna Reddy, learned Standing Counsel for the second respondent – 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 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 inaction of the Respondents to stop the illegal construction and blocking the way to grab the land which leads to the road of Shankamagar colony, L.B.Nagar beside to my house situated in Sy.No.66/3, 66/2 and 66/8 within the limits of LB.Nagar Circle, Greater Hyderabad Municipal Corporation of Hyderabad belonging to the petitioner herein as illegal, arbitrary, Vindictive, Violative of Principles of natural justice and contrary to the provisions of Law and violative of Art.300A & Art.14 of the Constitution of India and pass such other order or orders in the interests of justice.”

It appears that the petitioner made representation dated 30.01.2015 to the Deputy Commissioner, 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 30.01.2015 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

30.01.2015 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

25.04.2016

GJ