

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.9820 of 2016

ORDER:

Heard Sri V. Srikantha Rao, learned counsel for the petitioners, and Sri Pasham Krishna Reddy, learned Standing Counsel for the first respondent – Greater Hyderabad Municipal Corporation.

The prayer of the petitioners 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 Writ or order or direction more particularly one in the nature of Writ of Mandamus by declaring the inaction of respondents No.1 & 2 consider the representations dated 05.01.2015, 28.01.2015, 31.01.2015 and 05.08.2015 made by the petitioners as illegal, arbitrary and against the principles of natural justice, subsequently direct the Respondents No.1 & 2 to demolish the illegal construction of entire residential block behind Sri Veera Brahmendra Swamy Temple, Plot Nos.23 and 24, in Sy.Nos.7/1, 7/2, 8/3 & 8/4 situated at Srinivasapuram, Ramanthapur, Hyderabad and pass such other further order or orders as such the Hon'ble Court may deem fit and proper in the circumstances of the case.”

It appears that the petitioners made representations dated 05.01.2015, 28.01.2015, 31.01.2015 and 05.08.2015 to the Commissioner, Greater Hyderabad Municipal Corporation, the first 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 05.01.2015, 28.01.2015, 31.01.2015 and 05.08.2015 made by the petitioners 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 petitioners'

representations. Adhering to this procedure, the first respondent shall duly consider the petitioners' representations dated 05.01.2015, 28.01.2015, 31.01.2015 and 05.08.2015 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

28.03.2016

GJ