

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.24268 of 2017

ORDER:

This Writ Petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of respondents 1 and 2 in not considering the representations made by the petitioner on 15.10.2005, 08.05.2017 and 06.05.2017, as illegal, arbitrary and the same is in violation of fundamental rights of citizens as guaranteed by the Constitution of India and consequently direct the respondents to dispose of the representations made by the petitioner and take action.

2. Heard the learned counsel for both the parties and perused the material available on record. With the consent of learned counsel for both the parties, the writ petition is taken up for disposal at the stage of admission.

3. The case of the petitioner is that the 3rd respondent is constructing one big commercial complex on the premises bearing Plot No.6-3-248/3/1, Banjara Hills, Road No.1, which is not adhering to the prescribed norms of the Municipal Corporation, Hyderabad, and that the said complex is constructed with deviations and that respondents 4 to 6 have opened their respective hotels recently in the said commercial complex without obtaining any Occupation Certificates. The petitioner has submitted representations, dated 15.10.2005, 06.05.2017 & 08.05.2017, to the respondent authorities, but the respondent authorities have not taken any action against respondents 3 to 6 and the same are pending.

4. Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is of the view that the writ petition can be disposed of with the following direction:

The respondent authorities are directed to consider the representations, dated 15.10.2005, 06.05.2017 & 08.05.2017, made by the petitioner, and after affording reasonable opportunity of hearing to the petitioner as well as respondents 3 to 6, pass appropriate order, as expeditiously as possible, in accordance with law, and communicate the decision to the petitioner.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, Miscellaneous petitions pending, if any, shall stand closed.



RAJA ELANGO,J

Date: 24th July, 2017

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