

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.39730 of 2017

ORDER:

This writ petition is filed seeking the following relief:

“... to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus to declare the action on the part of the respondents in not considering the petitioner representations dated 03.03.2017 and 31.10.2017 as illegal, arbitrary, void and contrary to the Hyderabad Municipal Corporation Act and consequently direct the respondents to consider the representations dated: 03.03.2017 and 31.10.2017 of the petitioner and further direct the respondents to demolish the illegal construction made by the 4th respondent in house bearing No.5-104, Raidurg, Rangareddy District and to pass such other order or orders as this Hon'ble Court may deems fit, just and proper in the circumstances of the case.”

2. I have heard the submissions of learned counsel for the petitioner and of Sri Sampath Prabhakar Reddy, learned Standing Counsel for GHMC appearing for respondents 2 and 3. Perused the material record.

3. Learned counsel for the petitioner would submit that if a direction is given to the respondent concerned to consider and dispose of the representations dated 03.03.2017 and 31.10.2017 of the petitioner, the ends of justice would be met and the grievance of the petitioner stands redressed.

4. Learned Standing Counsel for GHMC would submit that the concerned authority is the Deputy Commissioner, Greater Hyderabad Municipal Corporation, and the representations are not given by the petitioner to the said authority and therefore, the petitioner is required to give representation to the concerned authority for appropriate action in the matter in accordance with procedure established by law.

5. Recording the submissions, the writ petition is disposed of directing the petitioner to submit a fresh representation along with copies of earlier representations, dated 03.03.2017 and 31.10.2017, to the Deputy Commissioner, Greater Hyderabad Municipal Corporation, within two weeks from the date of receipt of a copy of this order. On the petitioner submitting such a representation along with the copies of the earlier representations, the said authority shall consider and dispose of the same in strict accordance with procedure established by law, however, within two weeks from such submission and communicate the decision taken thereon to the petitioner within a week thereafter. While disposing of the representation, the authority concerned shall give an opportunity of hearing to the petitioner as well as the fourth respondent. In the meanwhile, the authority concerned shall not allow the fourth respondent to proceed with unauthorized constructions.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

M. SEETHARAMA MURTI, J

Date: 04.12.2017

Note: Issue C.C in two days

B/o

va