

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION NO: 1901 OF 2021

Between:

Ramakrishna Nagar Colony Welfare Society, Rep. by its President, T. Arun Kumar,
R/o 2-2-185/40/E/1, Ramakrishna Nagar, Bagh Amberpet, Hyderabad -500 013.

...PETITIONER

AND

1. State of Telangana, Rep. by Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tankbund, Hyderabad.
3. Zonal Commissioner, Greater Hyderabad Municipal Corporation, Circle - XVI, Secunderabad.
4. Moin Cheruvu Graveyard Committee, Rep. by its President, Office situated at Bagh Amberpet Grave Yard, Bagh Amberpet, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction particularly in the nature of Writ of Mandamus declaring the action of the part of the respondents in not closing the second gate situated on the southern side of the Moin Cheruvu graveyard as also not prohibiting carrying the dead bodies through the colony street on both sides of which buildings of the colony residents are situated.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to consider the representations of the Petitioner Society dated 06/01/2019, 14/05/2019, 09/01/2020, 21/07/2020 and 04/08/2020 and take appropriate action during the pendency of the above writ petition.

Counsel for the Petitioner: SRI. MAHADEV ANYARAMBHATLA

Counsel for the Respondent No.1:

GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent Nos.2 & 3: SRI PASHAM KRISHNA REDDY,
SC FOR GHMC

Counsel for the Respondent No.4: NONE APPEARED

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.1901 of 2021

ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development for respondent No.1, and learned Standing Counsel for respondent Nos.2 and 3. With their consent, the Writ Petition is disposed of at the stage of admission.

This writ petition is filed questioning the inaction of the respondents in closing the second gate situated on the southern side of the Moin Cheruvu graveyard, as illegal and arbitrary.

Learned counsel for the petitioner has stated that *in spite* of making a representation to respondent No.3 on 14.05.2019 ventilating the grievance of the petitioner and other residents of the locality, no orders are passed thereon and no action is being taken till date.

Learned Standing Counsel, on instructions, has stated that due to various administrative exigencies and the prevalent pandemic situation, the representation submitted by the petitioner could not be disposed of and seeks to grant some time for doing so.

In view of the above submissions, the Writ Petition is disposed of directing the 3rd respondent-Zonal Commissioner, GHMC, Circle-XVI, Secunderabad, to dispose of the representation submitted by the petitioner on 14.05.2019 and pass necessary orders thereon, strictly in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. It is needless to mention that the

respondent No.3 before passing any orders shall put the petitioner as well as any other interested party on notice and afford them an opportunity of hearing. A copy of the order passed by the respondent No.3 will be communicated to the parties.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/-K.AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Zonal Commissioner, Greater Hyderabad Municipal Corporation, Circle - XVI, Secunderabad.
2. One CC to Sri Mahadev Anyarambhatla, Advocate [OPUC]
3. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri Pasham Krishna Reddy, SC FOR GHMC [OPUC]
5. Two CD Copies

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HIGH COURT

DATED:29/01/2021

ORDER

W.P.No.1901 of 2021



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

6/2/2021
7