

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.20512 of 2015**

**Dated : 07.07.2015**

Between:

Syed Ali Akber S/o.Late Syed Noor Mohammed,  
Aged 79 yrs, Occu : Agriculture,  
Resident of H.No.16-8-536/G, New Malakpet,  
Hyderabad, Telangana-500 024.

.. Petitioner

And

State of Telangana,  
Rep., by its Principal Secretary,  
Municipal Administration and Urban Development,  
Secretariat Building, Hyderabad & 2 others

.. Respondents

This Court made the following :

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**ORDER :**

The petitioner claims to be the owner and possessor of agricultural land admeasuring Ac.5.30 guntas in Survey No.225 of Gollapally (V), Shamshabad (M), Ranga Reddy District. The petitioner intends to construct a small farm house in the said property and submitted an application to the 3<sup>rd</sup> respondent. But the 3<sup>rd</sup> respondent refused even to receive the application on the ground that the subject property comes within the area specified in G.O.Ms.No.111 dated 08.03.1996. Aggrieved thereby this writ petition is filed.

2. The averments in the affidavit filed in support of this writ petition, and the material papers enclosed to the writ petition, would not disclose submission of any application to the 3<sup>rd</sup> respondent, and it is only an assertion that application was sought to be submitted, but it was refused. Even assuming that the stand of the respondents as reflected in the affidavit of the petitioner is true, the respondents cannot refuse to receive an application at the threshold. Thus, they are bound to receive any application as and when submitted by a person undertaking to construct a house or other property.

3. Having regard to the above, without expressing any opinion on merits, this writ petition is disposed of, granting liberty to the petitioner to submit an application to the 3<sup>rd</sup> respondent (Gram Panchayat) and mark a copy to the 2<sup>nd</sup> respondent-authority. As and when such building permission application is received by the 3<sup>rd</sup> respondent, the same shall be considered, having regard to the various provisions contained in the A.P. Gram Panchayat Land Development (Layout and Building) Rules, 2002, orders of the Government in G.O.Ms.NO.111 dated 08.03.1996 in consultation with the 2<sup>nd</sup> respondent. A decision to that extent shall be taken within a period of three (3) weeks from the date of receipt of such application and the same should be communicated to the petitioner. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

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07<sup>th</sup> July, 2015.  
Rds

**P.NAVEEN RAO,J**