

**THE HON'BLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.21630 of 2006**

**ORDER:**

1. This writ petition is filed challenging the action of the 1<sup>st</sup> respondent in passing the orders in G.O.Rt.No.1057 PR & RD (PTS-IV) Department, dated 29.7.2006 setting aside the construction permission granted to the petitioner by the 5<sup>th</sup> respondent vide proceedings No.GPA/473/06, dated 11.4.2006, and challenging the consequential Memo dated 452/06-B-5(Pts) dated 1.9.2006 issued by the 2<sup>nd</sup> respondent and notice No.473/GPA/2006, dated 25.9.2006 issued by the 5<sup>th</sup> respondent.

2. Originally, the petitioner was granted permission by the 5<sup>th</sup> respondent to construct a house in Plot No.1110, situated on Raghunathpalli Road, Alair village, Nalgonda District. Subsequently, respondents 6 to 8 filed a revision petition before the Government on the ground that the petitioner started constructing the house against the permission granted by the Grampanchayat and the petitioner was not constructing the house as per the sanctioned plan. On that, the 1<sup>st</sup> respondent passed the impugned order setting aside the construction permission granted by the 5<sup>th</sup> respondent-Grampanchayat.

3. The main grievance of the petitioner is that the 1<sup>st</sup> respondent passed the impugned order without issuing any notice to him and the impugned order was passed on the basis of the petition forwarded by respondents 6 to 8 and basing on the documents produced by the 5<sup>th</sup> respondent-Grampanchayat.

4. The order of the 1<sup>st</sup> respondent impugned in this writ petition does not disclose that the petitioner was given sufficient opportunity by the 1<sup>st</sup> respondent to participate in the revision.

5. Considering the above facts and circumstances, the petitioner is directed to give a representation to the 1<sup>st</sup> respondent to hear his grievance, within three months from the date of receipt of a copy of this order. On such representation being made, the 1<sup>st</sup> respondent is directed to consider the same and pass appropriate orders after giving notice to all the parties concerned, in accordance with law. Till such time, the order of the 1<sup>st</sup> respondent dated 29.7.2006 is suspended. If the petitioner fails to make any such representation within the stipulated time, the order of the 1<sup>st</sup> respondent dated 29.7.2006 shall come into force.

6. With the above direction, the Writ Petition is disposed of. No order as to costs. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

7. In view of the bifurcation of the States, Registry is directed to issue the copies after incorporating the State of Telangana in the place of the Government of Andhra Pradesh, in the cause title.

**RAJA ELANGO, J**

Dated:25<sup>th</sup> February, 2015

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25.02.2015

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