

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.15350 of 2010

ORDER :

This writ petition is filed seeking to issue a writ of *Mandamus* to declare the impugned Notice in R.C.No.38 of 2010, dated 31-05-2010 issued by the 3rd respondent, as illegal and arbitrary.

2. The 3rd respondent issued the Notice in R.C.No.38 of 2010, dated 31-05-2010 stating that layout No.59/82 was obtained without prior approval from the Director of Town and Country Planning and without forming 33 feet wide roads and also without leaving 5% vacant land for communal purpose. Further, the petitioner has unauthorisedly sold the plots not even providing amenities like, roads, drainage, culverts etc. and hence, the 3rd respondent called upon the petitioner to provide basic amenities within thirty days and also to provide land for communal purpose within seven days, failing which, it was stated, necessary action under A.P. Panchayat Raj Act, 1994 would be initiated.

3. Having heard the learned counsel for the petitioner and perused the material available on record, the Writ Petition is disposed of as follows :

The petitioner is directed to give a detailed

representation to the concerned authority informing that the layout was approved way back in the year 1982 and also informing that the said notice was issued in view of the writ petition filed by him in W.P.No.10317 of 2010 and also file relevant material along with the representation to show that he obtained the permission while forming the layout. On such representation, the concerned authority is directed to consider the same in accordance with law and pass appropriate orders. If the concerned authority passes the order against the petitioner, he is at liberty to approach the Court challenging the same. No order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

29th January, 2015

skmr