

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.17577 of 2015

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Between:

Madishetti Chinna Anjaiah

PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Municipal Administration, Secretariat Buildings, Hyderabad, and others.

RESPONDENTS

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.17577 of 2015

ORDER:

The petitioner claims to be the owner of plot admeasuring 319.25 sq. yds., in Sy.No.1400, situated at Korutla Shivar, Korutla Mandal, Karimnagar District. He has applied for grant of building permission to construct residential house. The said request was rejected by the 2nd respondent vide proceedings Lr.Roc.No.G1/946/2015, dated 18.05.2015, which is under challenge in this writ petition.

Heard learned counsel for the petitioner and Sri N. Praveen Kumar, learned Standing Counsel for the 2nd respondent-Municipality.

The request of the petitioner was rejected on the ground that the town planning staff inspected the proposed site of the petitioner and reported that they are unable to identify the survey number since there are no boundary stones in the site. The impugned proceedings also refer to the objection raised by the Executive Officer of Sri Venkateshwara Swamy Temple, Korutla. The order passed by the 2nd respondent is appealable under Section 345 (1) (c) Municipalities Act 1965. As the petitioner has an effective alternative remedy of appeal, this Court cannot decide the rights of the parties under article 226 of the Constitution of India.

Having regard to the same, this writ petition is disposed of with liberty to the petitioner to avail the alternative remedy of appeal available to him under law and raise all the grounds including the grounds raised in this writ petition. As and when such appeal is filed, the appellate authority

shall consider the same and pass appropriate orders in accordance with law within a period of four weeks from the date of submission of such appeal. No order as to costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

18th June, 2015
Js.

P. NAVEEN RAO, J.