

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WRIT PETITION NO.19075 of 2015

Between:

T Kalyan Babu S/o T Srinivasulu
R/o Srinagar street, Chinna Padugupadu
Kovur mandal,SPSR Nellore district

.... Petitioner

And

The state of A P
Rep by its Secretary,
PR Department, Secretariat, Hyderabad and others

.... Respondents

DATE OF JUDGMENT PRONOUNCED : 20.8.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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1. Whether Reporters of Local Newspapers may : / No
Be allowed to see the Judgments ? :

2. Whether the copies of judgment may be marked : / No
To Law Reporters/Journals :

3. Whether Their Lordship wish to see the fair : / No
Copy of the Judgment ? :

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 19075 of 2015

ORAL ORDER:

Petitioner claims to have purchased small house bearing No. 2/6 Survey No. 25/1, Ward No.2 to an extent of 41.45 sq yards in the year 2012.

Petitioner applied for building permission to 4th respondent Gram Panchayat. After verifying the documents, petitioner was accorded permission on 5.3.2015. Petitioner claims that in accordance with the building permission granted to him, he has undertaken the construction of the building. While so, he was served with notice dated 7.5.2015 alleging that he is undertaking construction contrary to the building permission granted to him and asked to stop further construction. On 13.5.2015 confirmation notice was issued alleging that in spite of notice issued, petitioner continues to undertake construction and was directed to remove the unauthorized constructions made by him. Challenging this notice, petitioner filed the present writ petition.

2. 4th respondent filed counter affidavit. According to the averments of the 4th respondent at para 6 of the counter, on a reply submitted by petitioner on 2.6.2015, he has personally visited the spot and noticed deviations from the sanctioned plan, marked the deviations and accordingly notice was issued on 26.6.2015 directing the petitioner to remove the deviations. Learned standing counsel produced copy of the notice issued on 26.6.2015.

3. In view of the further notice issued to petitioner on 26.6.2015, which clearly deals with the nature of the deviations made by the petitioner, it is open to the petitioner to submit his explanation to the satisfaction of the Panchayat Secretary within two weeks from the date of receipt of copy of this order, if already not submitted. On receipt of such explanation, the Panchayat Secretary shall pass appropriate orders as warranted by law within a further period of two weeks thereafter. Until the further orders are passed as directed above, respondents shall not take any coercive steps against the petitioner and petitioner also shall not undertake any further construction on the subject

property.

Accordingly, the writ petition is disposed of. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 20.8.2015
TVK

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 19075 of 2015

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Date: 20.8.2015