

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

WRIT PETITION NO.16310 of 2015

Between :

Perla Venkata Venugopala Rao S/o Late Masenu
R/o D No. 48-17-5, Gogudanaiahpet,
Kakinaga, East Godavari district and others

.... Petitioners

And

The State of A P
Rep by its Prl Secretary, Revenue (PR & RD)
Secretariat, Hyderabad and others

.... Respondents

DATE OF JUDGMENT PRONOUNCED :18.8.2015

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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. 16310 of 2015

ORAL ORDER:

Petitioners challenge the lay out sanctioned in favour of respondents 5 and 6 on 26.5.2015 in respect of land to an extent of Ac.3.21 cents in Survey No. 359/8P and 360P, Thimmapuram village, Kakinada rural mandal, East Godavari district .

2. When the matter is taken up for consideration, learned counsel for petitioners submitted that complaint is filed before the Regional Deputy Director, Town and Country Planning, Tilak Road, Rajahmundry and in turn the lay out permission granted on 26.5.2015 was kept in abeyance. It is also stated that after keeping the lay out permission in abeyance the Regional Deputy Director, Town and Country Planning also addressed letter dated 3.6.2015 to the Sub Registrar, Kakinada, East Godavari district not to entertain any registration. Learned counsel for petitioners submits that petitioners also filed appeal before the District Panchayat Officer on 12.6.2015 and the same is pending. However, in spite of the orders passed by the Regional Deputy Director, Town and Country Planning keeping the lay out granted on 26.5.2015 in abeyance, plots are being registered as if lay out granted on 26.5.2015 is valid and in force.

3. Having regard to the fact that petitioners have already made complaint to the Regional Deputy Director, Town and Country Planning and matter is seized by him and petitioners have already filed appeal before the District Panchayat Officer, liberty is granted to the petitioners to prosecute matters before Regional Deputy Director, Town and Country Planning and District Panchayat Officer.

4. However, in order to save innocent public from purchasing the plots when the layout is kept in abeyance and when there appears to be serious dispute between the petitioners and respondents 5 and 6, till orders are passed by the District Panchayat Officer on the appeal filed by the petitioners dated 12.6.2015 and till further decision is taken by Regional Deputy Director, Town and Country Planning layout granted vide TLP No.

57/2015/R dated 26.5.2015 stands suspended. The respondents 5 and 6 are entitled to be heard before District Panchayat Officer and Regional Deputy Director of

Town and country Planning. Both authorities shall cause notice to them, give due opportunity of hearing before taking final decision.

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

P NAVEEN RAO,J

DATE:18.8.2015
TVK

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 16310 of 2015

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Date: 18.8.2015