

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.9764 of 2015

Date: 08-04-2015

Between:

Paka Subashini

.. Petitioner

AND

The State of Telangana, represented by its
Principal Secretary, Panchayat Raj Department
Secretari, Hyderabad and 2 others

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.9764 of 2015

ORDER:

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This writ petition is filed for a mandamus declaring the action of the 2nd respondent in preventing the petitioner from proceeding with the construction over her plot bearing No.106 in Survey No.795 to 800/1 and 813, admeasuring 167 square yards at Venkatapur Grampanchayat, Ghatkesar Mandal, Ranga Reddy District at the instance of the 3rd respondent without giving any notice or opportunity and without following due process of law as illegal and arbitrary and for a consequential direction to the 2nd respondent not to prevent the petitioner from proceeding with the construction in accordance with the building permission.

2. The case of the petitioner is that she is absolute owner and possessor of Plot No.106 in Survey No.795 to 800/1 and 813 admeasuring 167 square yards at Venkatapur Grampanchayat, Ghatkesar Mandal, Ranga Reddy District having purchased the

same by way of registered sale deed bearing document No.6576 of 2012, dated 11-12-2012 from her vendors. The petitioner applied for building permission to the 2nd respondent Grampanchayat and the 2nd respondent accorded permission for construction of a house in the said plot, basing on which the petitioner is making construction of the house. It is stated that at the instance of the 3rd respondent, the 2nd respondent Panchayat directed the petitioner to stop the construction without giving any notice or opportunity of hearing and even without following due process of law. Aggrieved by the same, the present writ petition is filed.

3. Heard the learned counsel for the petitioner and Sri P. Raghavender Reddy, learned standing counsel for the 2nd respondent Panchayat.

4. Learned standing counsel for the 2nd respondent stated on instructions that as on today the 2nd respondent Panchayat never interfered with the construction of the petitioner and the officials of the 2nd respondent Panchayat asked the petitioner to make the said construction in accordance with the sanctioned building permission.

5. Recording the statement of the learned standing counsel, the writ petition is disposed of. However, the petitioner shall make the construction only in accordance with the sanctioned building permission and if such construction is made in deviation of the sanctioned building permission, it is open for the 2nd respondent Panchayat to take appropriate action in accordance with law. The 2nd respondent Grampanchayat shall not interfere with the construction, if it is made as per sanctioned plan. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 08-04-2015

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