

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

**THURSDAY, THE THIRD DAY OF SEPTEMBER TWO
THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

–
WRIT PETITION No.28305 of 2015

Between:

Putta Satyanarayana Murthy,
S/o. Venkata Rao,
Hindu, Aged about 54 years,
Occ: Service, R/o. Flat No.202,
Vinayagar, West Avenue,
CBM Coimpound,
Visakhapatnam 530 003 & another

.. Petitioners

AND

The State of Andhra Pradesh,
Rep. by its Pr. Secretary,
Municipal Administration Department,
Secretariat Buildings, Saifabad,
Hyderabad & 7 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

The petitioners claim to be the owners of Ac. 0.88 cents of agricultural lands in Survey Nos.547/3A and 547/7A, situated at Mandapeta, East Godavari District. According to the petitioners, the adjacent land owners in Survey Nos.547, 547/3B, 7B, 2B, 546/2B, 548, /3 and 548 have obtained layout permission in June, 2015 and said layout is blocking the right of way of petitioners.

2. According to the learned Senior Counsel appearing for the petitioners, while submitting application for grant of layout permission, the adjacent property owners showed as if a compound wall is existing dividing their land with that of petitioners, whereas on field, there is no compound wall existing and by showing existence of a compound wall, they have constructed the wall and blocked the ingress and egress to the property of the petitioners. Such action of the developers as well as the authorities is *ex facie* illegal. According to the learned Senior Counsel, no field inspection was made before granting such permission and in spite of filing several complaints and representations before various authorities, they have not acted upon and the requested information is not furnished.

3. Having regard to the fact that Rule 28 of the Rules

notified vide G.O.Ms.No.67, dated 26.02.2002, provides for preferring an appeal against grant of layout by an aggrieved person and since several complaints are made by the petitioners to various authorities including the Director of Town and Country Planning, State of Andhra Pradesh, Hyderabad (2nd respondent), justice would serve if the writ petition is disposed of directing the Director of Town and Country Planning, State of Andhra Pradesh, Ameerpet, Hyderabad (2nd respondent) to consider the representation submitted by the petitioners against grant of layout permission in favour of respondents 6 to 8 and pass appropriate orders, as warranted by law. The 2nd respondent shall cause notice on respondents 6 to 8, give opportunity of hearing and after considering the rival contentions, speaking orders shall be passed. The entire exercise shall be completed within a period of six (6) weeks from the date of receipt of copy of this order. It is further ordered that the formation of layout shall be subject to the result of the orders to be passed by the 2nd respondent.

4. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 3rd September, 2015

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Note: Issue C.C. by 07.09.2015.

(B/o.)

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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Date: 3rd September, 2015

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