

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7005 OF 2016

ORDER:

The prayer in the writ petition reads as under:

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondent No.2 in rejecting to grant House construction Permissions in favour of the petitioners at the instance of respondent No.3 is contrary to the provisions of Panchayat Raj Act, 1994, arbitrary and illegal and consequently issue a direction to respondent No.2 to grant permissions to the petitioners for construction of House forthwith”.

Heard learned counsel for the petitioners, learned Government Pleader for Panchayat Raj appearing for respondent No.1, Sri G.Narender Reddy, Counsel for respondent No.2 and learned Government Pleader for Revenue appearing for respondent No.3.

While the impugned rejection order was unfortunately has not been filed before this Court, what all has been filed is communication received from the Grampanchayat regarding the application made under Right to Information Act i.e. application made by the petitioner for construction of house, which has been rejected. In that view of the matter, no relief as such can be granted in this writ petition.

In the above circumstances, the writ petition is disposed of leaving it open to the petitioners to approach the Grampanchayat for rejection order. However, learned counsel appearing for the Grampanchayat submits that the rejection order would be communicated to the petitioners within one week from today. As and when such rejection order is received by the petitioners, they are at liberty to avail remedy of appeal as available under Section 128 of the A.P. Panchayat Raj Act, 1994 to the Grampanchayat as defined under Section 2(17) of the A.P.Panchayat Raj Act. There shall be no order as to costs.

In view of the disposal of the main writ petition, Miscellaneous petitions, if any pending in the writ petition, shall also be closed.

CHALLA KODANDA RAM, J.

Date:09.03.2016.

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