

THE HON'BLE SRI JUSTICE S. V. BHATT

WRIT PETITION No. 29272 of 2012

ORDER:

Heard Mr.G.Venkat Reddy for petitioner, Assistant Government Pleader for Respondent Nos.1 and 2, and Mr.Sheshadri for Respondent No.3, and Mr.A.V.Shivaiah for Respondent Nos. 4 to 7.

2. The petitioner challenges the condition incorporated at the end of the renovation permission, dated 30.06.2011, issued by 3rd Respondent-Gram Panchayat, as illegal, arbitrary and without jurisdiction.

3. The learned counsel appearing for the parties have strenuously made several submissions against the condition impugned in the writ petition and on the other hand supporting the condition as well.

4. I have perused the material available on record. This Court is of the view that the Panchayat Secretary of the 3rd Respondent – Gram Panchayat imposed the additional condition while granting permission to petitioner for building renovation. The assertion of the petitioner or the objections of Respondent Nos. 4 to 7 are relegated for consideration by the General Body of 3rd Respondent-Gram Panchayat. The General Body can give opportunity to petitioner as well as Respondent Nos.4 to 7 and take a decision, as

is warranted in the facts and circumstances of the case and in accordance with law.

5. Having regard to the above reasons, I am satisfied the writ petition can be disposed of by this order.

The petitioner is given liberty to represent to the General Body of 3rd Respondent-Gram Panchayat by enclosing a copy of this order, within four weeks from today. The 3rd Respondent is directed to issue notice to Respondent Nos.4 to 7 adverting to all factual and legal objections and communicate the decision within six weeks thereafter.

6. The writ petition is disposed of accordingly. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

January 30, 2017
Kv

S. V. BHATT, J



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Dated: January 30, 2017

Kv