

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.NO.9376 OF 2017

O R D E R

Heard the learned counsel for the petitioner and the learned Standing Counsel for the 2nd respondent – Grampanchayat.

According to the petitioner, he submitted an application to the 2nd respondent – Grampanchayat, represented by its Secretary, for building permission, enclosing the relevant documents on 3.9.2016 and the same was acknowledged by the 2nd respondent. Subsequently, vide notice bearing No.158/2016 dated 23.12.2016, the 2nd respondent asked the petitioner to furnish certain information as to the survey number, developments after the judgment in O.S.No.153/2012 and 'No Objection Certificate' from Tahsildar, Aswaraopeta in respect of the land in question. In response to the said notice, the petitioner submitted a representation on 30.12.2016, giving clarifications / information.

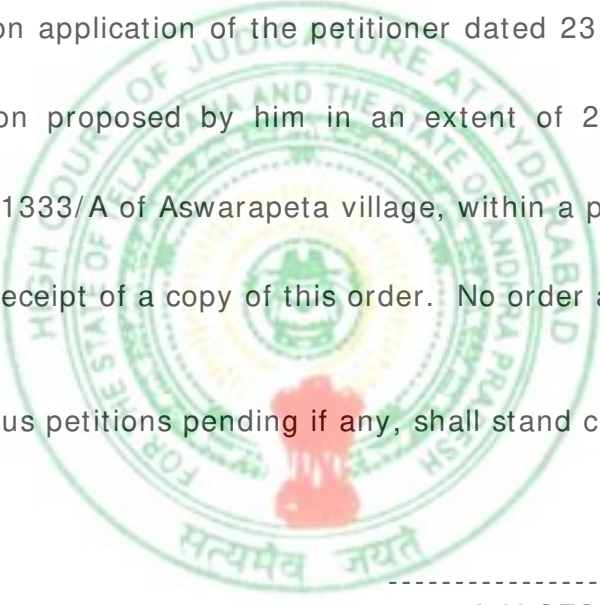
It is the case of the petitioner that despite the submission of clarification / information dated 30.12.2016, so far no action has been taken by the 2nd respondent on his application for grant of building permission.

On the other hand it is submitted by the learned Standing counsel for the 2nd respondent – Grampanchayat that without paying the conversion fee under Andhra Pradesh Agricultural Land (Conversion for Non-Agricultural Purposes) Act, 2006, the petitioner herein is seeking for building permission, which is impermissible.

Admittedly, the application filed by the petitioner herein for building permission is pending consideration before the 2nd respondent. Therefore, it is for the said authority to look into all the aspects including the aspect of payment of conversion fee, while processing the application of the petitioner and pass appropriate orders in accordance with law.

Having regard to the facts and circumstances and the submissions of the learned counsel for the petitioner and the Standing Counsel for the 2nd respondent – Gram Panchayat, the writ petition is disposed of directing the 2nd respondent to pass appropriate orders in accordance with law on the building permission application of the petitioner dated 23.12.2016 in respect of the construction proposed by him in an extent of 222.22 sq. yards in R.S.No.1333 and 1333/A of Aswarapeta village, within a period of four weeks from the date of receipt of a copy of this order. No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.



A.V.SESHA SAI,J

DATE:20—03—2017

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