

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 15018 of 2017

ORDER:

This writ petition is filed challenging the action of the appellate authority of respondent No.1 in rejecting the application of the petitioners for change of site/location of petitioner No.2-College from Jeedimetla, Qutubullapur Municipality, Ranga Reddy District to the land in Survey Nos.553/AA, 541/AA, 543/A, 544/A, 546/A, 547/E, 553/E, 541/E, 542/A, 544/A, 544/E, 546/E and 548/A of Maisammaguda, Gundla Pochampalli Village, Medchal Mandal, Ranga Reddy District for the academic year 2017-18.

Pursuant to the application of the petitioners for change of location, the Scrutiny Committee rejected the proposal solely on the ground that the Sarpanch was not competent for sanction of the plans and the buildings in question were constructed in the year 2008. Challenging the same, the petitioners preferred an appeal before the Appellate Committee, which in turn also rejected the proposal on the same ground.

Learned Senior Counsel appearing for the petitioners submits that G.O.Ms.No.168 came into force with effect from 07.04.2012 much after construction of the buildings in question. G.O.Ms.No.67, dated 26.02.2002, was in vogue when the buildings were constructed, and respondent No.2 was the competent authority at

that time. He further submits that this fact was not noticed by the Scrutiny Committee as well as the Appellate Committee and the application of the petitioners was rejected.

Learned Standing Counsel for respondent No.1 submits that rejection of the application of the petitioners by the Scrutiny Committee as well as the Appellate Committee is not a final decision and respondent No.1 has to consider the recommendations as per Regulation 5.3 of the Regulations, 2016 made for grant of approvals for Technical Institutions.

In view of the above, the writ petition is disposed of directing respondent No.1 to take into consideration the point raised by the learned Senior Counsel for the petitioners in the present writ petition with regard to the competency of respondent No.2 to grant sanction to the buildings at the relevant point of time and non-application of G.O.Ms.No.68, dated 07.04.2012, to the buildings already constructed, and take final decision.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:25.04.2017

Note: Issue cc in two days.

(B/o)

kdl

