

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.28785 of 2009

ORDER:

The proceedings under challenge in this writ petition is the notice issued by the Panchayat Secretary, Pydiparru Gram Panchayat dated 08.12.2009 informing the petitioner that he had drawn a lay out unauthorisedly, and was selling plots contrary to the provisions of law, because of which purchasers would suffer hardship in future. The petitioner was called upon to remove the stones fixed by him unauthorisedly; and was informed that, if he failed to do so, action would be initiated to remove the stones as per law.

When we asked Sri Ch.Dhanamjaya, learned counsel for the petitioner, whether the petitioner had converted agricultural land into residential plots, and had sold the same without obtaining sanction for a lay out, learned counsel would express ignorance, and would submit that, while the petitioner had sold some extent of land, the affidavit does not mention the extents.

It is only after sanction for a lay out is obtained, can the owner of the land sell the earmarked plots to other individuals. While we see no reason, therefore, to interfere with the impugned notice, suffice it to make it clear that this order shall not preclude the petitioner from making an application for sanction of an approved lay out, and for the respondents to consider the same in accordance with law.

The Writ Petition stands disposed of accordingly. Miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

20th October, 2017
JSU

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Date: 20.10.2017

JSU