

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.18096 of 2017

ORDER :

Heard learned counsel for the petitioner, as well as the learned Government Pleader for Panchayat Raj appearing for respondent Nos.1 to 3, and Sri G. Narender Reddy, learned Standing Counsel appearing for respondent No.4 – Gram Panchayat, from instructions. Perused the prayer in the writ petition and also the supporting affidavit along with other material on record.

2. This writ petition is filed seeking the following relief:

“..... Writ of Mandamus declaring the impugned order passed by the 4th respondent dated 16.05.2017 bearing No.G.P.S./3884/2017, cancelling the construction permission granted by him on 30.03.2017 bearing Procs.No.G.P.S./3884/2017, without issuing any prior notice and without following the procedure contemplated under the law, as being illegal, arbitrary, unilateral, unjust and unconstitutional and consequently set aside the same, and to grant such other relief or reliefs”

3. It is the submission of the learned Standing Counsel for respondent No.4 that except an oral complaint for cancellation of the construction permission, there is no written complaint received.

4. Having regard to the above, the impugned order dated 16.05.2017 passed by the 4th respondent is set aside as unsustainable. However, if there is any written complaint received or any deviations found in the construction, it will not preclude the respondent authorities in taking necessary action strictly in accordance with law.

5. Accordingly, this writ petition is disposed of. No order as to costs.

6. As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

Dr. JUSTICE B. SIVA SANKARA RAO

15.06.2017.

Msr



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