

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.24008 OF 2017

Date: 26.10.2017

Between:

M.Vijaya Laxmi w/o. M. Subrahmanyam,
Aged 33 years, Occu: Housewife, r/o. H.No.20,
Banjara Hills, Road No.12, Amrutha Vally,
Hyderabad and others.

.....Petitioners

and

State of Telangana, rep.by Principal Secretary,
Panchayat Raj Department, Secretariat,
Hyderabad and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

In this writ petition, petitioner alleges that Gram Panchayat is approving/granting layouts in Sy.Nos.726 and 776 of Masaipet village, Nalgonda district, even though layout was approved on 20.03.2006 and the same is in subsistence.

2. On 20.07.2017, matter was adjourned to 28.07.2017 at the request of learned standing counsel to file status report together with photographs of the subject matter of writ petition. On 04.10.2017, status report was filed. While going through the status report, Court noticed that according to Panchayat Secretary, no layout was found in Sy.Nos.726 and 776 of Gram Panchayat Masaipet and no layout was sanctioned by the Gram Panchayat. Panchayat Secretary further stated that layout produced by the petitioners was fabricated and created and as per the field inspection, no venture is located in the above survey numbers. After perusing the original letter along with photographs, same were returned to the learned standing counsel.

3. Counter-affidavit is filed. Along with the counter-affidavit, report and photographs are enclosed. In paragraph-4 of the counter-affidavit, Panchayat Secretary reiterates that on physical verification it was found that no layout was found on the subject property and that no layout was granted by the Gram Panchayat.

4. At this stage, learned counsel for petitioners sought to contend that photocopies of the layouts filed by the petitioners would show that layout was sanctioned by the Gram Panchayat.

5. A bare perusal of photocopies of layouts relied on would show that signature of Surpanch was affixed; does not contain signature of executive authority of Gram Panchayat; and there is no authenticity of documents being issued by the Gram Panchayat. The Executive authority of Gram Panchayat is Panchayat Secretary/Executive Officer, whereas the signatures found on two photocopies of layouts are of Surpanch. Furthermore, the proceedings do not contain any date and does not contain proceedings number. Therefore, no credence can be given to the said layout. Along with the counter-affidavit photographs also filed. Photographs would show open land without traces of layout and marking of house plots. Therefore, it is clear that no layout was sanctioned. The assertion of petitioners that layout was sanctioned in the year 2006 also appears to be a false statement as on ground, no such layout is found and it appears that no such layout was sanctioned by the Gram Panchayat even in the year 2006. Thus, writ petition is liable to be dismissed and is accordingly dismissed.

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

JUSTICE P.NAVEEN RAO

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