

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.7292 OF 2017

ORDER:

Heard learned counsel for petitioners and learned standing counsel for second respondent.

The petitioners submitted an application for construction of a house in Survey No.25/1 new (old Sy.No.60/3) in respect of plot No.18 of Killipalem Gram Panchayat of Srikakulam Rural Mandal along with relevant documents to the second respondent. The second respondent returned the application filed by the petitioners, by proceedings dated 03.10.2016 stating that the site is not situated in a sanctioned lay out as per Gram Panchayat records and the petitioners were asked to pay an amount of Rs.1,48,568/-. The petitioners preferred an appeal to the first respondent and the first respondent by proceedings dated 16.11.2016 confirmed the said decision of the second respondent. It appears that the petitioners preferred Second Appeal before the third respondent and the same is pending.

The issue involved in the present writ petition is with regard to the location of the plot in an approved layout or unapproved layout. Since the said issue requires investigation into facts and there is a Second Appeal pending before the third respondent, this Court is not inclined to entertain the writ petition. However, this Court directs the third respondent to dispose of the Second Appeal pending before him within a period of three months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

08.08.2017
pln