

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.22526 OF 2012

ORDER:

Heard Mr.A.Jagan for petitioner and Mr.G.Narender Reddy for 5th respondent and Mr.P.Ananth Nageshwara Rao for 6th respondent.

The petitioner complains against inaction of respondent No.5 in taking action against the 6th respondent who is constructing a temple-cum-house in Sy.No.362 in an extent of Ac.0-11 gts at Aregudem Village, Balemla Grampanchayat, Suryapet Mandal, Nalgonda District, as illegal and contrary to the provisions of the A.P. Panchayat Raj Act, 1994.

On 25.07.2012 in W.P.M.P.No.28857 of 2012, the following order was passed:

“Heard Sri A.Jagan, learned counsel for petitioner, Sri Zakir Ali Danish, learned Assistant Government Pleader for Panchayat Raj and Rural Development for respondent Nos.1 to 3 and Sri K.Rama Rao, learned counsel representing Sri P.Raghavender Reddy, learned standing counsel for respondent Nos.4 & 5.

The learned counsel for the petitioner placed before the Court a copy of the document dated 09.05.1985 to corroborate the claim of the petitioner as to the property being acquired by his father. The claim of unauthorized construction on the land belonging to the petitioner needs to be enquired into on merits.

Hence, in the meanwhile, the sixth respondent shall maintain status quo as on today in respect of the constructions being made until the next date of hearing.”

Learned counsel representing the parties submit that the facts in issue are to be firstly considered and decided by

5th respondent and, therefore, consent to disposing of the writ petition by this order.

- (a) the 6th respondent is given liberty to apply for building permission for the construction complained in this writ petition within six weeks from the date of receipt of copy of this order;
- (b) the 5th respondent on receipt of the application is directed to take note of the objections of petitioner and the request of 6th respondent and within the jurisdiction and authority conferred on 5th respondent, the 5th respondent is directed to pass orders within eight weeks thereafter; and
- (c) the interim order shall remain in operation for a period a four months from today, if the 6th respondent files application within the time granted by this Court.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, pending miscellaneous petitions, if any, stand closed.



S.V.BHATT, J

27th January, 2017

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