

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.14340 of 2009

ORDER:

This writ petition is filed questioning the order dated 14.07.2009 passed by the respondent in File No.UCR No.G/ TPS- 1/ 1/ MM/ 2009-2010.

The case of the petitioner is that, he has purchased the agricultural dry land admeasuring Ac.0.14³/₄ guntas out of Sy.No.716/ AA6 measuring Ac.2.31³/₄ guntas of Miryalaguda Village, Nalgonda District under a registered sale deed dated 24.08.2006 for valid consideration; he constructed compound wall to the height of 5½ ft. around the said land; the respondent has issued show cause notice under Section 238 and 186 of the A.P. Municipalities Act, 1965 (for short 'the Act'), to the petitioner stating that he constructed compound wall without obtaining permission from the Commissioner, in unapproved layout plan and directed to remove the construction already made; the petitioner submitted explanation to the show cause notice on 08.07.2009 stating that he purchased agricultural land and to raise compound wall, no permission is required under Section 209 of the Act and the provisions of Section 186 of the Act 6 of 1965 are not applicable.

When the writ petition came up for admission on 17.07.2009, this Court suspended the impugned proceedings dated 14.07.2009.

The case of the petitioner is that the subject land is an agricultural land and no permission is required under Section 209 of the Act. Hence, the writ petition is closed directing the petitioner to

give a detailed explanation to the notice issued under Section 228(3) and 360 of the Act and after receiving the said explanation, the respondent-Corporation is directed to consider the same and take appropriate action, in accordance with law. There shall be no order as to costs. As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Date: 12.12.2018
BSS

