

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.11148 of 2018

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Panchayat Raj and Sri G.Narender Reddy, learned Standing Counsel.

According to the petitioners the Panchayat Secretary, Gram Panchayat Amistapur village-third respondent herein granted permission for construction, vide proceedings No.58/2017, dated 18.09.2017. It is submitted by the learned counsel for the petitioners that, by way of the letter, dated 14.10.2017, which is under challenge, the third respondent herein cancelled the earlier permission. It is further submitted that the impugned action of cancellation was not preceded by any notice nor any opportunity of being heard was given to the petitioners herein.

A counter-affidavit, deposed by the Panchayat Secretary, Gram Panchayat Amistapur village-third respondent herein, is filed, wherein there is no denial as to the non-issuance of the show cause notice. On this ground alone the Writ Petition is liable to be allowed.

Accordingly, the Writ Petition is allowed, setting aside the impugned order, dated 14.10.2017, issued by the Panchayat

Secretary, Gram Panchayat Amistapur village-third respondent herein. However, it is open for the third respondent to take action, strictly as per law, after issuing notice to the petitioners herein. 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.

A.V.SESHA SAI,J

18th April, 2018
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