

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.22210 of 2011

ORDER:

The relief sought for in this Writ Petition is to declare the action of the respondent in not granting permission for construction of a house, after considering their application, as arbitrary and illegal.

The petitioners claim to have made an application to the Gram Panchayat on 14.02.2011 for grant of permission for construction of a building; and, on the ground that the respondent was not entertaining their application, they invoked the jurisdiction of this Court.

In the counter-affidavit, filed by the Panchayat Secretary, it is stated that, on verification of the site, it was noticed that the extent of land thereat is around one acre; no lay-out was made on the land; there was a dispute pending in O.S.No.90 of 2006 on the file of the Senior Civil Judge, Mahabubabad; and a status-quo order was passed by the Senior Civil Judge, Mahabubabad.

Grant of building permission would arise only after a lay-out is sanctioned. As it is evident that no permission was sought or obtained for a lay-out, on the land of one acre in Survey No.6/2, the action of the Gram Panchayat in not according permission, for construction of a building, cannot be faulted.

The Writ Petition fails and is, accordingly, dismissed. The Miscellaneous Petitions pending, if any, shall also stand closed. No order as to costs.

RAMESH RANGANATHAN, ACJ.

Date:13-04-2018.
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