

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 36758 of 2018

Date : 24.10.2018

Between:

Guggilla Harish S/o Devaiah Age 40 years Occ Councilor 13th
Ward Councilor Jagityala Municipality Jagityala District
Petitioner

And

The State of Telangana
Rep by its Principal Secretary
Panchayatraj Department Secretariat Hyderabad & others
Respondents

The Court made the following:



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ORAL ORDER:

This writ petition is filed alleging that 5th respondent is undertaking illegal construction of Athamaram Function Hall in survey No. 409/A, Mothe village, Karimnagar district facing the road from Rajiv Bye Pass road to Asthalaxmi Temple. Alleging that though several representations are made to prevent illegal construction made by encroaching the public road, no action is taken, this writ petition is filed.

2. Learned standing counsel representing the Gram Panchayat submits that building permission was granted by the 4th respondent Gram Panchayat. He further submits that area where the property of the petitioner is located has become part of 16th ward of Jagtiyal Municipality, therefore Jagtiyal Municipality alone is competent to deal with the issue. Further, no material is placed on record to show that 5th respondent is undertaking illegal construction by encroaching into the public road and construction is not made in accordance with sanctioned plan.

3. In the circumstances, writ petition is disposed of granting liberty to the petitioner to obtain appropriate documents from the Jagtiyal Municipality and to bring to the notice of Commissioner, Jagtiyal Municipality of the alleged deviations made from the sanctioned plan and encroachments made into the public road and if such an application is filed with relevant material, the Commissioner, Jagtiyal Municipality shall look into the same and take appropriate decision as warranted by law within two months from the date of receipt of such application. He shall issue notice to 5th respondent and afford due opportunity before taking any adverse decision against him.

4 Accordingly, the writ petition is disposed of. No costs.
Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

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