

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.44414 OF 2018

Date:06.12.2018

Between:

Kalyani Constructions, Margani
Estate, Pidimgoyyi Gram Panchayat,
Rajamahendravaram Rural Mandal,
East Godavari District, rep., by its
Partner Margani Bharath Ram and others .. Petitioners

And

State of Andhra Pradesh, rep., by its
Principal Secretary, Panchayat Raj
Department, Secretariat, Velagapudi,
Amaravathi, Guntur District and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.44414 OF 2018****ORDER:**

Heard learned counsel for the petitioners, learned Government Pleader for Panchayat Raj for respondents 1 and 3, learned Government Pleader for Revenue for respondents 2 and 4 and Sri K.K. Durga Prasad, learned Standing Counsel for respondent No.5.

2. By the notice impugned, petitioners were informed that while regularizing the layout, less amount was paid than the amount payable towards regularization. They were asked to pay the amount within 15 days, failing which, no permission would be granted for the constructions made.

3. Apparently, no prior notice was issued to the petitioners calling for explanation though there was some reference to the earlier notice of the year 2016. Since notice imposes penal consequences on the petitioners, the Court deems it fit to treat the same as notice without any penal consequences at this stage.

4. The Writ Petition is accordingly disposed of granting liberty to the petitioners to submit their explanation/objections with regard to the amount already paid or the amount payable by them with supporting documents. On submission of such explanation, the respondent – Gram Panchayat shall pass orders dealing with the objections filed by the petitioners by assigning due reasons in support of the decision. Petitioners shall file their objections within two weeks from the date of receipt of a copy of the order.

Till a decision is made, no coercive action shall be taken against the petitioners. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:06.12.2018

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