

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.45000 OF 2018

DATED :12.12.2018

Between :

P @ S. Malla Reddy S/o.Late Laxma Reddy,
Aged 49 yrs, Occu : Agriculture,
R/o.H.No.2-55, Hydershakote Village,
Gandipet Mandal, Ranga Reddy District.

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Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Panchayat Raj and Rural Development Department,
Telangana Secretariat Buildings,
Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner, learned Government Pleader for Panchayat Raj for respondents 1 and 3, learned Government pleader for Revenue for respondents 2 and 4 and Sri G.Narender, learned Standing counsel for respondent No.5.

2. Petitioner is aggrieved by the building permission granted to 6th respondent on 09.04.2018 by the Gram Panchayat, Hydershakote Mandal, Rajendra Nagar Mandal, Ranga Reddy District. 6th respondent is the brother's son of father of petitioner. According to petitioner, it is the joint family property and the 6th respondent cannot undertake construction.

3. However, according to Section 121 of the Telangana Panchayat Raj Act, 2018, against any decision of Gram Panchayat, appeal shall lie to the District Collector. Since the remedy of appeal is available to the petitioner, where under he can raise all pleas as available to him, including pleas urged in this writ petition and which are required to be gone into by the appellate authority on due verification of the gram panchayat records, the Court is not inclined to entertain the writ petition.

4. Thus, granting liberty to the petitioner to file appeal, the Writ Petition is dismissed. It is open to the petitioner to raise all the pleas as available to him, including the grounds urged in this writ petition. It is needless to observe that if the appeal is preferred by the petitioner, the same shall be considered objectively after affording due opportunity to both parties and on

due consideration of the objections, appropriate orders shall be passed, within the fixed time frame. Pending miscellaneous petitions shall stand closed.

12th December, 2018
Rds

P.NAVEEN RAO,J

