

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.1240 OF 2019

O R D E R:

1 As this Court does not propose to go into the merits of the complaint made by the petitioners and in the light of the order proposed to be passed hereunder, it is not necessary to put the 6th respondent on notice at this stage or afford him an opportunity of hearing.

2 Sri G.Narender Reddy, learned counsel for Dichpally Gram Panchayat, Nizamabad District states that he has no objection to the disposal of the Writ Petition at the admission stage.

3 The case of the petitioners is that the 6th respondent is allegedly making illegal construction in the Plot bearing House No.7-107 in Dichpally Village, Dichpally Mandal, Nizamabad District, without obtaining permission for undertaking such construction from the Dichpally Gram Panchayat.

4 Perusal of the record reflects that the petitioners did not choose to make any representation to the authorities of the Gram Panchayat objecting to the alleged illegal construction being made by the 6th respondent. It is not open to the petitioners to complain of inaction on the part of the authorities when there is no evidence of their having approached them in the first instance seeking action to be taken against the illegal construction, if any, being made by the 6th respondent.

5 The Writ Petition is accordingly disposed of permitting the petitioners to make a detailed representation to the concerned authorities of the Dichpally Gram Panchayat, Dichpally Village & Mandal, Nizamabad District, setting out their objections to the alleged construction being made by the 6th respondent in the Plot bearing House No.7-107 in Dichpally Village. In the event such a representation is made, the concerned authorities of Dichpally Gram Panchayat, viz., respondent Nos.4 and 5, shall take appropriate action thereon after

giving due opportunity of hearing to all parties concerned in accordance with law.

6 Pending Miscellaneous Petitions, if any, shall also stand closed.

No order as to costs.

JUSTICE SANJAY KUMAR

25th January, 2019
Kvsn