

THE HON'BLE Dr.JUSTICE SHAMEEM AKTHER

WRIT PETITION No.6008 of 2019

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a direction to declare inaction on the part of respondent No.6 in considering the representation of the petitioner dated 19.02.2019 to grant permission to make construction in plot admeasuring 205 sq. yards or 172.2 sq. mtrs in Sy.No.82/A, situated at Chintakunta Village, Kothapalli Mandal, Karimnagar District, as illegal, arbitrary and violation of the principles of natural justice and consequently, to direct the Respondent Nos.3 and 5 and their subordinates not to interfere with the peaceful possession and enjoyment of the petitioner's aforementioned property.

2. Heard Sri J.Ram Mohana Rao, learned counsel for the petitioner; learned Assistant Government Pleader for Revenue representing respondents 1, 3 and 5; and the learned Assistant Government Pleader for Panchayat Raj (Rural) representing respondents 2, 4 and 6 and perused the record.

3. It is contended by the learned counsel for the petitioner that though a representation dated 19.02.2019 was given by the petitioner to respondent No.6 to grant permission for construction in Plot admeasuring 205 sq. yards in Sy.No.82/A, situated at Chintakunta Village, Kothapalli Mandal, Karimnagar District, no action has been taken. It is also contended that an injunction be granted restraining the official respondents from causing any interference with the peaceful possession and enjoyment of the aforementioned property.

4. Learned Assistant Government Pleaders for Revenue and Panchayat Raj (Rural) would submit that under the guise of the registered document etc., the petitioner is claiming possession over the Government land admeasuring 205 sq. yards or 172.2 sq. mtrs in Sy.No.82/A, situated at Chintakunta Village, Kothapalli Mandal, Karimnagar District.

5. In the given circumstances, it is pertinent to state that when a representation dated 19.02.2019 is filed by the petitioner seeking to grant permission, it has to be examined and disposed of in accordance with law. When there is a specific submission by the learned Assistant Government Pleaders that the petitioner is claiming possession over the Government Land, no prohibitory orders can be granted as prayed for. However, the respondent No.6/the Secretary, Gram Panchayat Chintalakunta, Chintalakunta, Kothapalli, Karimnagar, is directed to examine and dispose of the representation dated 19.02.2019, filed by the petitioner herein, within a period of three months from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. No order as to costs.

Dr.JUSTICE SHAMEEM AKTHER

Date: 24.04.2019
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