

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.13243 OF 2019

ORDER

The case of the petitioner is that he is the protected tenant in respect of the land admeasuring Acs.22-30 guntas in Sy.Nos.251, 252 and 253 situated at Abdullapurmet village and Mandal, and he was issued with certificate under Section 38-E of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950, and the said certificate has been affirmed by the Joint Collector, Rangareddy District vide File No.J/1865/2006 dated 02.03.2007. Challenging the same, the landlords filed writ petition and the learned single Judge of this court in WPMP.No.11338 of 2009 in W.P.No.8652 of 2009 dated 27.04.2009 directed the parties to maintain status quo and the same is subsisting as on today. The grievance of the petitioner is that in spite of *status quo* orders granted by this court, the 4th respondent claiming to have purchased the land in plot No.162 in Sy.No.251, is proceeding with the construction, and that too without obtaining any permission from the 3rd respondent – Abdullapurmet Gram Panchayat represented by its Secretary, and though he made representation dated 21.06.2019 to respondents 2 and 3, no action has been taken till date. Hence, the present writ petition.

The 3rd respondent – Gram Panchayat, Abdullapur village, represented by its Panchayat Secretary, filed counter affidavit stating *inter alia* that the 4th respondent was accorded construction permission vide proceeding No.GPA/4/2019 dated 30.05.2019 for construction of a residential building and the plot purchased by the petitioner was approved by the DTCP Authorities vide LP.No.85/2002 and therefore, it cannot be said that the 4th respondent is making construction without any permission.

Heard the learned counsel for the petitioner, Assistant Government Pleader for Panchayat Raj for respondent No.1 and Sri G.Narender Reddy, learned Standing Counsel for respondents 2 and 3.

The allegation of the petitioner that the private respondent No.4 is making construction without any permission from Gram Panchayat is found to be factually incorrect, since in the counter affidavit filed by the Panchayat Secretary, represented the 3rd respondent – Gram Panchayat, it is categorically stated that 4th respondent was granted construction permission vide GPA/4/2019 dated 30.05.2019.

If the petitioner has any dispute with the 4th respondent or that the interim orders of status quo granted by this court in the above referred writ petition, are alleged to have been violated, then the petitioner is always at liberty to avail the statutory remedies available under law.

Further, if the petitioner is aggrieved by the construction permission granted to 4th respondent, it is always open to him to challenge the same, but he cannot contend that the construction undertaken by 4th respondent is without any permission.

In view of the above facts and circumstances, no relief can be granted, and the writ petition is disposed of with the above observations.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:01—08—2019

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