

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 15781 OF 2019

ORDER :

This writ petition is filed challenging the action of the respondents 1 to 4 in not sanctioning the permission to the petitioner to construct house in the land belongs to him admeasuring 173.33 Sq.Yards, situated in Chitkul, Kowdipally (old mandal) Chilipched (present mandal), Medak District, in accordance with the plan submitted by the petitioner.

Learned Counsel for the petitioner submits that the petitioner applied for permission for construction of house in the land owned by him admeasuring 173.33 Sq.Yards, but the respondents have sanctioned building permission for lesser extent than the land owned by the petitioner directing the petitioner to leave set backs towards road and also towards temple which is not permissible under Rules.

On the other hand Sri G.Narender Reddy, learned Standing Counsel for respondent No.3 submits that petitioner applied for permission for construction of the house saying that he owns land to an extent of 173.33 Sq.Yards, but on physical verification it is revealed that the subject site of the petitioner does not consist of that much extent, as such, building permission was granted after making inspection in accordance with law; and that the petitioner has alternate remedy of appeal under Section 121 of Telangana Panchayat Raj Act, 2018.

In this case it is to be seen that the petitioner has alternate remedy of appeal. On perusal of the counter affidavit it appears that this issue

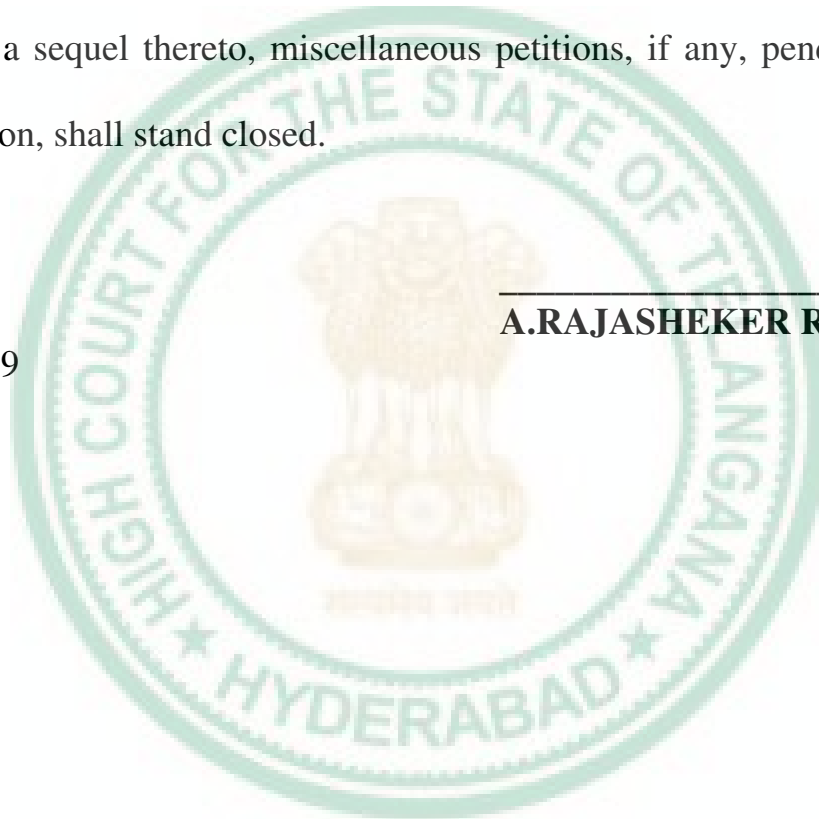
involves disputed questions of fact. In view of the same, this Court is not inclined to entertain the writ petition.

Accordingly, the writ petition is disposed of granting liberty to the petitioner to avail alternate remedy of appeal under Section 121 of Telangana Panchayat Raj Act, 2018 and raise all his pleas raised herein and the appellate authority shall consider the same, by ordering inspection, if necessary. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

14.10.2019
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A.RAJASHEKER REDDY, J



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