

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15922 OF 2019

ORDER:

This writ petition is filed challenging the action of respondent No.3 in refusing to grant building permission vide orders dated 11-04-2018, 19-07-2018 and 24-06-2019 on the basis of complaint filed by respondent No.4 claiming to be the owner of property admeasuring to an extent of 300 square yards in Sy.No.209/A situated at Rukkannapally Village, Ghanpur Mandal, Wanaparthy District.

Sri G.Narender Reddy, learned Standing Counsel for respondent No.3 as well as learned counsel for respondent No.4 submits that against the impugned orders, the petitioner has alternative remedy under Section 121 of Telangana Panchayat Raj Act, 2018 (for short "the Act"). Learned counsel for the petitioner could not dispute the said aspect. But, however, she says that respondent No.4 has no claim against the petitioner, who is the owner of subject property for which permission is applied and respondent No.3-Grampanchayat without considering the same rejected the application of the petitioner for grant of building permission and she also submits that after passing of the impugned orders, the petitioner filed O.S.No.101 of 2019 along with interlocutory application for grant of injunction and she was granted injunction.

It is to be seen that admittedly, the petitioner has alternative remedy under Section 121 of the Act.

In view of the same, the writ petition is disposed of granting liberty to the petitioner to avail remedy of appeal under Section 121 of the Act against the impugned orders and she can raise all these grounds before the appellate authority and the appellate authority is directed to consider the issue after issuing notice to the petitioner and respondent No.4.

With the above observations, the writ petition is disposed of. As a sequel, miscellaneous petitions, if any, pending shall stand closed.

13-09-2019

Nvl

A.RAJASHEKER REDDY,J



