

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.17648 of 2019

ORDER:

This Writ Petition is filed challenging the notice *vide* No.GPCLr.No.90/2019-2020, dated 12.7.2019, wherein and whereby the Chowdariguda Panchayat cancelled the building permission granted to the petitioner in respect of Plot Nos.4 and 5 admeasuring 1,200 square yards in Survey No.775/A/4 situated at Korremula Village, Chowdariguda Gram Panchayat, Ghatkesar Mandal, Ranga Reddy District.

Learned counsel for the petitioner submits that the layouts in respect of the subject plots were regularised by the HMDA and the petitioner has also paid the necessary amount for regularisation of the subject plots to the HMDA and thereafter only, the Gram Panchayat granted building permission.

The grievance of the petitioner is that without issuing any prior notice, straightaway the impugned proceedings were passed, though the same is styled as 'notice'.

Heard Sri G.Narender Reddy, learned Standing Counsel for respondent No.3, who submits that the open spaces meant for public utilities in the layouts have been sold away and without disclosing the same, the building permission was obtained by the petitioner, and as such, the building permission is cancelled.

A reading of the impugned proceedings goes to show that no prior notice was issued to the petitioner before passing the impugned

proceedings which is in violation of principles of natural justice and the said fact is not disputed by the learned Standing Counsel for Gram Panchayat.

In view of the above, without expressing any opinion on the merits of the case, the impugned proceedings dated 12.7.2019, is set aside.

The Writ Petition is accordingly allowed. However, this order will not prevent the competent authority from taking action against the petitioner in accordance with law after issuing notice to him. No order as to costs.

As a sequel, Miscellaneous Petitions, if any, pending shall stand closed. No order as to costs.

A.RAJASHEKER REDDY, J

22nd August, 2019
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