

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 21361 of 2019

ORDER:

In this Writ Petition, it is the case of petitioner that he is proceeding with the construction work in his property bearing municipal No.17-220/1, on part of plot No.67, admeasuring 118 sq.yards, situated at Jameel Colony, Errakunta, Ranga Reddy District, in terms of the permission granted in his favour by the then Gram Panchayat on 24.03.2016; that on account of the financial difficulties, he could not complete the construction work within the stipulated time of two (2) years and that in the meantime, the Gram Panchayat had become Municipality, as such, he was in the process of approaching the second respondent - Jalpally Municipality, rep. by its Commissioner, Office at Jalpally Village and Mandal, Ranga Reddy District, for getting validated the permission granted by the Gram Panchayat. His grievance is that the second respondent is threatening him to demolish the constructed area.

Learned Standing Counsel for Jalpally Municipality appearing for the second respondent, on instructions, submits that the petitioner had encroached on to the road portion.

In those circumstances, the second respondent shall take necessary action in accordance with law with respect to its allegation that the petitioner occupied the road portion by giving him notice and calling for explanation, and shall ensure that no road portion is occupied by the petitioner. However, four (4) weeks time is granted to the petitioner to submit an application to the second respondent for grant of permission for proceeding with the building construction in the prescribed format and by paying prescribed fees. Thereupon, the second respondent shall consider the same and pass appropriate orders in accordance with law. It is made clear that in the event of the petitioner submitting the application within the above stipulated time, no coercive steps shall be taken by the second respondent till disposal thereof. However, the petitioner shall not make any construction till permission is granted.

Subject to the above, this Writ Petition is disposed of.

Miscellaneous Petitions, if any pending, shall stand closed.

There shall be no order as to costs.

CHALLA KODANDA RAM, J

27th SEPTEMBER, 2019.

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