

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 24629 of 2019

ORDER:

In this Writ Petition, petitioner challenges provisional notice dated 26.10.2019 issued by the third respondent – Pedda Amberpet Municipality, rep. by its commissioner, Hayathnagar, Ranga Reddy District, directing her to stop the construction work immediately and to show cause as to why the unauthorized construction made by her should not be removed.

The petitioner asserts that she obtained permission for construction from the erstwhile Gram Panchayat on 24.03.2011 and had made partial construction and there is no new construction made by her as on date; that as she did not pay the charges for conversion of the subject land from agricultural to non-agricultural, the impugned notice was issued to her and that as a matter of fact, she applied for Land Regularization Scheme and had drawn the Demand Draft with regard to payment of conversion charges, but, the respondents are refusing to receive the same, though the time limit for implementation of such Scheme is extended.

Having regard to the fact that the petitioner submitted explanation to the impugned provisional notice on 30.10.2019

and is ready to comply with the payment conditions and inasmuch as there is no dispute that Pedda Amberpet Gram Panchayat was converted into Municipality as on date, the respondents are directed to consider her case by receiving the charges deposited in the form of Demand Draft and process the same strictly in accordance with law and subject to eligibility. It is made clear that the petitioner shall not proceed with the construction without obtaining any fresh permission from the third respondent Municipality.

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

Miscellaneous applications, if any pending, shall also stand disposed of.

CHALLA KODANDA RAM, J

11th NOVEMBER, 2019.

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