

THE HON'BLE SRI JUSTICE T. VINOD KUMAR
WRIT PETITION Nos.26307 AND 26310 OF 2019

COMMON ORDER:

The subject matter in these Writ Petitions is intertwined. As such, the same are being disposed of by this common order.

These Writ Petitions are filed to declare the action of respondents 3 and 4 in interfering and making attempts to demolish the petitioners' houses bearing Nos.6-48/40 and 6-48/40/A, & 6-48/38 and 6-48/39 respectively situated at Padmavathi colony, Aziz Nagar X Road, Himayathnagar village and Gram Panchayat, Moinabad Mandal, Ranga Reddy District, without following due process of law, as being illegal and contrary to the Article 21 of the Constitution of India.

Heard the learned Counsel for the petitioners and Sri G. Narender Reddy, learned standing Counsel for Gram Panchayat.

Learned Counsel for the petitioner submits that in respect of the houses that are constructed by the petitioner, the same have been assessed the property tax by the Gram Panchayat authorities and the petitioner also obtained electrical connection for the same. On the basis of the above, the Learned Counsel for the petitioners submits that it would go to show that the said construction has been made with the approval of the Gram Panchayat. Accordingly, he submits that the respondent authorities to be restrained from taking any steps to demolish the said houses.

Learned Standing Counsel for the Gram Panchayat while opposing the writ petition, submits that the petitioners had purchased the plots on 18.01.2019 and 28.06.2018 respectively and had constructed the building without obtaining permission from the Gram Panchayat. He would further submit that the present writ petitions have been filed by the petitioners on apprehension having regard to the fact that the Gram Panchayat authorities have initiated proceedings in respect of the neighbouring plots where the constructions are stated to have made without obtaining construction permission from the Gram Panchayat.

Learned Standing Counsel further submits that the concerned authorities have not initiated or issued any proceedings or notice to the petitioners in respect of the houses constructed. He would further submit that if any action is initiated hereafter by the concerned authority of the Gram Panchayat, such action by the authorities would be in accordance with law and in adherence to the provisions and powers conferred under the Gram Panchayat Act.

Recording the said submission of the learned Standing Counsel on behalf of the 4th respondent, and in particular as no proceedings relating to demolition of the petitioners' houses having been issued as of now, no further orders need be passed in these matters.

Accordingly, these Writ Petitions are closed. No order as to costs.

As a sequel, the miscellaneous petitions, if any, pending shall stand closed.

T. VINOD KUMAR,J

Date: 27.11.2019

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