

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No.27580 of 2019

ORDER:

The present writ petition is filed aggrieved by the action of the 4th respondent-Panchayat Secretary, Korremula Gram Panchayat in issuing the notice dated 20.09.2019, whereby it is claimed that the 2nd petitioner's application for grant of permission for construction of the house is rejected, as being illegal, arbitrary and against the principles of natural justice.

Heard Sri Rapolu Bhaskar, learned counsel for the petitioners and the learned Government Pleader for Panchayat Raj appearing for the respondents 1 to 3 and Sri G. Narender Reddy, learned Standing Counsel for 4th respondent-Gram Panchayat.

The learned counsel for the petitioners would submit that though the contents of the impugned proceeding indicate that certain deficiencies being noted in the application filed by the 2nd petitioner seeking construction permission made by the petitioners, the subject of the said proceeding indicates that the same is in the form of rejection.

The learned Standing Counsel for Gram Panchayat submits that though in the subject it is mentioned as "intimation of rejection of house permission", the contents of the said communication indicates that the 2nd petitioner is being called upon to produce the documents/remove the

deficiencies as noted therein and if the 2nd petitioner makes good such deficiencies by submitting the documents to the concerned authorities, the same would be considered in accordance with law.

Having regard to the said submission made by the learned standing counsel for 4th respondent-Gram Panchayat, the learned counsel for the petitioners submits that the petitioners would file necessary documents/remove the deficiencies as noted in the impugned proceeding within a period of two weeks.

In view of the above, the writ petition is disposed of directing the 2nd petitioner herein to remove the deficiencies as noted in the impugned proceeding and submit the documents to the 4th respondent, within a period of two week from the date of receipt of a copy of this order, whereupon the 4th respondent shall consider the same and take a decision thereon, within a further period of two weeks, with regard to grant of permission for construction, in accordance with law.

As a sequel thereto, Miscellaneous Applications, if any, pending in this writ petition shall stand closed. However, there shall be no order as to costs.

T. VINOD KUMAR, J

Date: 19.12.2019
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