

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.44553 of 2017

ORDER:

The grievance of the petitioner is that Chinnaravirala Gram Panchayat, Abdullapurmet Mandal, Ranga Reddy District, issued proceedings dated 04.3.2017 cancelling the building permission granted to him on 02.12.2016 in relation to his house plot situated in Survey No.150 of Chinnaravirala Village, Abdullapurmet Mandal, Ranga Reddy District, in violation of the principles of natural justice.

By order dated 09.7.2018, interim stay of the cancellation proceedings was granted on the ground that Chinnaravirala Gram Panchayat, Abdullapurmet Mandal, Ranga Reddy District, resorted to cancellation of the building permission on the strength of a survey which was conducted by the revenue authorities behind the back of the petitioner.

Though it is the claim of the authorities that the petitioner is making construction in a different survey number, that is, other than the one claimed by him, the said claim is based on the survey conducted behind the back of the petitioner. As the petitioner was not given an opportunity to participate in the said survey, the same cannot be the basis for the action now initiated against him.

The impugned cancellation proceedings dated 04.3.2017 are accordingly set aside on this short ground. This order shall however not preclude the respondent-Chinnaravirala Gram Panchayat, Abdullapurmet Mandal, Ranga Reddy District, and the revenue

authorities from conducting a survey afresh with the participation of the petitioner after due and prior notice to him. The authorities are at liberty to take necessary action, as warranted, in accordance with the due procedure laid down by law after conducting such a survey. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order. In the meanwhile, the petitioner shall also not resort to making any further construction in the said plot pursuant to the building permission.

The Writ Petition is allowed to the extent indicated above.

Pending Miscellaneous Petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

05th February, 2019
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