

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION No.27853 of 2021

ORDER:

This Writ Petition is filed to declare the action of the 3rd respondent ie., the District Panchayat Officer, Narayanpet, in not considering the Appeal dated 18.09.2021 filed by the petitioners in respect of illegal construction of multistoried buildings in 520 square yards out of Sy. No.257 admeasuring Ac.11.24 gts. situated at Maddur (village and Mandal), Narayanpet, as arbitrary, illegal and without jurisdiction and consequently direct the 3rd respondent to decide the Appeal.

2. Heard learned Counsel for the petitioner and learned Government Pleader for Panchayat Raj appearing for respondent Nos.1 to 3 and with their consent, the Writ Petition is taken up for hearing and disposal.

3. Petitioner contends that while the 7th respondent had obtained permission for construction of G + 1st floor, is making construction in deviation of such permission granted, and made construction of G + 2nd floor; that the said permission has been obtained in contravention of the provisions of Gram Panchayat Act, without obtaining any conversion of the land for making commercial construction; and that, despite the petitioner filing an appeal with the 3rd respondent, no action is being taken on the illegal construction being made by the 7th respondent.

4. On behalf of the respondents, written instructions under the signature of the 3rd respondent in Lr. No.A3/981/2021 dated 08.11.2021 has been placed before this Court.

5. The said instructions are taken on record.

6. As per the written instructions, the 3rd respondent states that on receiving the complaint from the petitioner, the respondent authority directed the Divisional Panchayat Officer, Narayanpet to visit the subject site for causing inspection and upon such inspection, the authority submitted a report wherein it is noted that the 7th respondent obtained permission for construction of G+1 floor, however he has constructed commercial shutters, thereby deviating from the permission plan. It is also stated that the Divisional Panchayat Officer, Narayanpet was requested to issue necessary instructions to the Gram Panchayat for stopping and removal of illegal construction in the matter. It is also stated that based on the report of the Divisional Panchayat Officer, Narayanpet, necessary action is being taken on illegal constructions as per rules in force and also action against the Panchayat Secretary and Sarpanch, Gram Panchayat, Maddur.

7. Having regard to the written instructions placed on record of this Court, whereby it is stated that necessary action is being taken on the illegal constructions made by the unofficial respondents, no further orders need be passed in this Writ Petition, suffice it to state that necessary action is taken forthwith.

8. The Writ Petition is accordingly closed. No order as to costs.
Miscellaneous petitions, if any, pending in this petition, shall stand closed.

Date: 09.11.2021

MRKR

T. VINOD KUMAR, J

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