

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No. 3148 OF 2020

ORDER:

This Writ Petition is filed to declare the impugned order dated 11.12.2019 issued by the 2nd respondent as illegal and consequently, to direct the 2nd respondent to release the layout submitted by the petitioner duly setting aside the order dated 11.12.2019.

2. Sri J. Prabhakar, learned Senior Counsel appearing on behalf of learned counsel for the petitioner Sri Nageswara Rao Pujari submits that by proceedings dated 11.12.2019 addressed by Narayanpet Municipality, it is stated that after careful examination of the matter with respect to report of the revenue authorities received by them that the proposed layout of T.L.P. No. 20/2018 cannot be released for final approval as there is overlapping portion of government land in Survey No. 479 and possession of 0.07 guntas which is under illegal encroachments made by the petitioner has been taken over by the Girdhavar which is part of layout approved in TLP No. 20/2019/H, covered by Plot Nos. 87, 88, 89, 90, 91 and stray piece of land and road on southern side, they have come to the conclusion that the report submitted is not satisfactory and the

lay out approval sanctioned in T.L.P.No. 20/2018 dated 28.01.2019 is kept in abeyance and the petitioner was directed to resubmit revised layout pattern proposals duly deleting encroached portion. Learned Senior Counsel submits that as per the letter addressed by the District Survey Officer to the Municipal Commissioner, it is stated that they conducted demarcation work of the land and side survey number also was demarcated and as per the village map, the extent of Survey No. 474/A2 is Acs.8.00 and it is a patta land. He further submits that the proceedings dated 07.12.2019 addressed by the Tahsildar, Narayanpet Mandal to the Municipal Commissioner, Narayanpet are contrary to the said report. Learned Senior Counsel submits that even if the petitioner submits another representation, it would be of no use and if a joint survey is conducted in the presence of the Tahsildar, Municipal Department as well as the petitioner, the same can be resolved and basing on the said report, the respondent municipality can act upon.

3. Learned Government Pleader for Revenue (Assignment) submits that the revenue authorities will issue a notice to the municipal authorities and they will fix up a date for survey and common survey will be conducted.

4. Recording the said submission, the Writ Petition is disposed of directing the 4th respondent to conduct survey by putting all the parties on notice within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

5. The Miscellaneous Applications, if any shall stand automatically closed.

15th June 2022

LALITHA KANNEGANTI, J

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