

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND TEN
:PRESENT:

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23630 of 2009

Between:

- 1 Ganna Sarvaiah S/o Sri Rama Kotaiah
- 2 Ganna Syam Kumar S/o. Sri Sarvaiah, Software Engineer, Presently R/o. 134, Laurel Way, Herndon, Varginia, USA, Rep. by his GPA Holder and 1st petitioner herein i.e, Ganna Sarvaiah
- 3 Kakkera Naga Lakshmi W/o. Sri Ganna Syam Kumar, Software Engineer, Presently R/o. 134, Laurel Way, Herndon, Varginia, USA, Rep. by his GPA Holder and 1st petitioner herein i.e, Ganna Sarvaiah
- 4 Ganna Ashok Kumar S/o. Ganna Sarvaiah,

..... Petitioners

AND

1. State of A.P. Rep. by its District Collector (Panchayat Wing) Nalgonda District at Nalgonda
2. Gram Panchayat , Kodad, Nalgonda District Rep. by its Panchayat Secretary
3. Pentyala Pappa Rao s/o.Ramaiah, R/o. H.No. 4-71/1/3/3/1, Near Khammam Cross Road, R/o. Kodada village and Post, Kodada Mandal, Nalgonda District.
4. B.Seetha Ravamma w/o. late Venkata Reddy R/o.Gudibanda village and Post, Kodada Mandal, Nalgonda District.
5. Shaik Mahabub Ali s/o.Dade Sahab, R/o. H.No.4-72/3, Near Khammam Cross Road, R/o. Kodada village and Post, Kodada Mandal, Nalgonda District.
6. G. Ramesh s/o. Krishna Rao, R/o.H.No.4-71/3/B, Near Khammam Cross Road, Kodada village and post, Kodada Mandal, Nalgonda District.

(Respondents 3 to 6 are impleaded as per court order dt. 8-12-2009 in

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the 2nd respondent in canceling the building permission granted to the petitioners vide Proceedings Bearing No. GPK/B/1598/2009 dated 15-12-2008 and further directing the petitioners to stop the constructions work as illegal, without jurisdiction and in violation of the principles of natural justice and consequently direct the respondents to drop all further proceedings in this regard against the petitioners and pass such other order or orders;

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and the order of the High Court dated 5-11-2009, 26-11-2009 and 29-12-2009 made in W.P.M.P.No. 30687 of 2009 and upon hearing the arguments of SRI N. SUBBA REDDY, Advocate for the Petitioners and of the Govt. Pleader for Panchayat Raj for the respondent No.1 and of Sri G. Elisha S.C. for Grampanchayat for the respondent No.2, and of Sri V. Raghu Advocate for the respondents 3 to 6, the Court made the following

..2.

-2-

ORDER: Post on 29-01-2010 in the motion list.

In the meanwhile, learned Standing counsel shall obtain the particulars about the set-backs that are shown in the sanctioned plan and report whether the present construction is going on in accordance with the sanctioned plan.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The District Collector (Panchayat Wing) Nalgonda District at Nalgonda
2. The Panchayat Secretary, Gram Panchayat , Kodad, Nalgonda District
3. Pentyala Pappa Rao s/o.Ramaiah, R/o. H.No. 4-71/1/3/3/1, Near Khammam Cross Road, R/o. Kodada village and Post, Kodada Mandal, Nalgonda District.
4. B.Seetha Ravamma w/o. late Venkata Reddy R/o.Gudibanda village and Post, Kodada Mandal, Nalgonda District.
5. Shaik Mahabub Ali s/o.Dade Sahab, R/o. H.No.4-72/3, Near Khammam Cross Road, R/o. Kodada village and Post, Kodada Mandal, Nalgonda District.
6. G. Ramesh s/o. Krishna Rao, R/o.H.No.4-71/3/B, Near Khammam Cross Road, Kodada village and post, Kodada Mandal, Nalgonda District.
7. 2 CCs to the G.P. for Panchayat Raj, High court of A.P.Hyd. (O.UT)
8. One C.C.to Sri N. Subba Reddy Advocate. (OPUC)
9. One C.C.to Sri G. Elisha Advocate. (OPUC)
10. One C.C.to Sri V. Raghu Advocate. (OPUC)
11. one spare copy.

HIGH COURT

LNR.J

DATED 25-01-2010

POST ON 29-01-2010 IN THE MOTION LIST

ORDER

W.P.NO. 23630 OF 2009

DIRECTION

Bsr

Dt. 27-1-2010

HIGH COURT

LNR.J

DATED 25-01-2010

POST ON 29-01-2010 IN THE MOTION LIST

ORDER

W.P.NO. 23630 OF 2009

DIRECTION