

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

MONDAY, THE NINTH DAY OF MARCH,
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE **A. RAJASHEKER REDDY**

W.P.No. 5390 of 2015

Between:

- 1 Smt. Ramulamma W/o Narasimha Rao,
- 2 Smt. Urmila W/o Late T. Venkat Rao,
- 3 Smt. Shyamala W/o Vijay Kumar,
- 4 Smt. Vani Sri W/o A. Narayan Reddy

Petitioners

AND

1. The State of Telangana, rep by its Principal Secretary, Municipal Administration Department, Secretariat Buildings, Hyderabad.
2. The Greater Hyderabad Municipal Corporation, rep by its Commissioner, Near Tank Bund, Hyderabad
3. The Special Grade Deputy Collector (Land Acquisition), GHMC, Hyderabad
4. The Deputy Commissioner, GHMC, Uppal Circle-II, Uppal, Rangareddy District
5. Assistant City Planner, GHMC, Town Planning Section, Uppal Circle-II, Uppal, Rangareddy District
6. G. Laxminarayana, S/o Late Rajaiah, Occ: Business, R/o H.No.2-3-48/1, Inside Sri Krishna Theatre, Uppal, Rangareddy District

Respondents

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 a Writ, order or direction and more particularly one in the nature of "Writ of Mandamus" declaring the action of respondents 2 to 5 in initiating proceedings Under Section 146 of the GHMC Act, 1955 against the Respondent No.6 alone for acquisition of properties belonging to Joint Family for the proposed road widening from Uppal X Roads To Nalla Cheruvu (within the GHMC limits) without the consent of the petitioners who are the members of the Joint Family and the consequential action of the respondents 2 to .5 in trying to disburse the amounts in favour of the Respondent No.6 alone without considering the claims/objections filed by the petitioners as being illegal, arbitrary, un-constitutional and violative of the Principles of natural justice and consequently direct the respondents to consider the objections/claims of the petitioners Dated 24.02.2015 and 25.02.2015 and initiate the proceedings under Land Acquisition Act, for enabling the petitioners to dispute the claims and ownership of Respondent No.6 over the properties belonging to the Joint Family i.e., in respect of the properties that are being proposed to be acquired by the respondents 2 to 5 for the purpose of road widening from Uppal X Roads To Nalla Cheruvu (within the GHMC viz., H.No.2-4-1 (Uppal), H.No.2-4-1 (Open land of leased to Toyota and Ashok Leyland), H.No.2-4-3, H.No.2-4-1/2 NR, H.No.2-4-1/4,

H.No.2-3-37, and H.No. 2-3-39/NR situated at Uppal Village, Rangareddy District and further direct the respondents 2 to 5 not to dispossess the petitioners from the above stated properties without following due procedure of law or in the alternative apportion the compensation proportionately in favour of all the members of the Joint Family in accordance with the applicable laws.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and order of the High Court dated 04-03-2015 made herin and upon hearing the arguments of Sri. V.M.M. Chary, Advocate for the Petitioners, GP for Municipal Administration (TG) for Respondent No.1 and Smt. A. Deepthi, Standing Counsel for the Respondents 2 to 5

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WPMP. No.7175/2015

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to direct the respondents 2 to 5 not to dispossess the petitioners from their Joint Family Properties including the disbursement of compensation amounts in favour of Respondent No.6 for the proposed acquisition of properties for road widening from Uppal X Roads To Nalla Cheruvu (within the GHMC limits) i.e., the properties at H.No.2-4-1 (Uppal), H.No.2- 4-1 (Open land of leased to Toyota and Ashok Leyland), H.No.2-4-3, H.No.2-4-1/2 NR, H.No.2-4-1/4, H.No.2-3-37, and H.No. 2-3-39/NR situated at Uppal Village, Rangareddy District, pending disposal of WP No. 5390 of 2015 on the file of the High Court.

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THE COURT MADE THE FOLLOWING

ORDER:

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Post tomorrow in Motion List.
Interim direction granted earlier is extended till then.

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Sd/- D.RAMESH KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

1. Two CCs to G.P. for Municipal Administration, High Court, at

Hyderabad (OUT)

2. Two CCs to G.P. for Revenue, High Court, at Hyderabad (OUT)
3. One CC to Sri. V.M.M. Chary, Advocate (OPUC)
4. One Spare copy

Tvr

HIGH COURT

ARRJ

DT. 09-3-2015

NOTE: post tomorrow in the motion list

ORDER

W.P. NO.5390 OF 2015

STAY EXTENDED

**DRAFTED: TVR
DATED: 09-03-2015**

HIGH COURT

ARRJ

DT. 09-3-2015

NOTE: post tomorrow in the motion list

ORDER

W.P. NO.5390 OF 2015

STAY EXTENDED