

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.7723 of 2010

Date: 03-11-2015

Between:

P. Krishnakanth Reddy

.... Petitioner

AND

The Chief Engineer, Project Implementing Unit,
Prime Minister Grameena Sadak Yojana,
Hyderabad and 4 others

.... Respondents

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.7723 of 2010

ORDER:

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Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue. With the consent of both parties, the present writ petition is heard at the stage of admission itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondent 1 to 4 in earmarking the land for laying a road through the land of the petitioner in Survey No.183 and in Survey No.186 situated at Chinnatundla (Thoole Khurd) village, Yacharam Mandal, Ranga Reddy District as arbitrary and illegal and consequently to direct the respondents not to lay the road from the land of the petitioner.

The facts leading to filing of the writ petition are that the petitioner is absolute owner and possessor of the agricultural land admeasuring Ac.0.04 guntas in Survey No.185 and Ac.3.27 guntas in Survey No.186 situated at Chinnatundla (Thoole Khurd) village, Yacharam Mandal, Ranga Reddy District. It is stated that the respondents 1 to 3 entrusted the work of widening the cart way existing in the village from 12ft. to 30ft. under Prime Minister Grameena Sadak Yojana scheme to the 4th respondent and the 4th respondent-contractor is trying to occupy the land of the petitioner without following due process of law. Challenging the said action of the respondents, the present writ petition came to be filed.

On 19-04-2010, while admitting the writ petition, this Hon'ble Court directed the respondents not to dispossess the petitioner from the land in question except following the due process of law.

A counter came to be filed by the 3rd respondent denying the averments in the writ affidavit. The 3rd respondent, among other things, stated that the work of laying road was done for improvement of the earlier existing road and that the department has not laid any road from the land of the petitioner.

Having regard to facts and circumstances of the case and without going into the merits of the case, the respondents are directed to follow the due process of law, if the land of the petitioner is required for widening the existing road.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

C. PRAVEEN KUMAR, J

Date: 03-11-2015

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