

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.38403 of 2015

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26.11.2015

Between:

Haribaa

.. Petitioner

and

The State of Telangana,

represented by its Principal Secretary,

Panchayat Raj Department, Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.S.R.Deshmukh

Counsel for respondent Nos.1, 3 and 4: Government Pleader for Panchayat Raj (TS)

Counsel for respondent No.2: Assistant Government Pleader for Revenue (TS)

Counsel for respondent No.5: Assistant Government Pleader for Home (TS)

The Court made the following:

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ORDER:

The grievance of the petitioner in this writ petition is that the Panchayat Raj Department of State of Telangana has been trying to lay a road over his land admeasuring Acs.5.13 guntas in survey No.74/A situated at Yenkemuri Village, Kangti Mandal, Medak District, without following due process of law.

The learned Government Pleader for Panchayat Raj (TS) appearing for respondent Nos.1, 3 and 4, submitted that from the averments contained in the affidavit filed in support of the writ petition, it appears that the petitioner has filed the present writ petition based on mere apprehension without there being any basis.

Except making an allegation that a road is sought to be laid over his land, the petitioner has not produced any *prima facie* proof in support thereof. The petitioner has not even made a representation to any of the respondents requesting them to refrain from laying such road. Therefore, I find merit in the submission of the learned Government Pleader for Panchayat Raj (TS).

As this Court would not entertain writ petitions on mere apprehensions, this Writ Petition is dismissed without rendering any findings on merits, however, with the observation that in the event the respondents propose to lay road over the petitioner's land, they shall not do so either without consent of the petitioner or without acquiring the land under the provisions of the extant statutory enactment.

As a sequel to dismissal of the writ petition, W.P.M.P.No.49443 of 2015 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

26th November, 2015

GHN