

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

WRIT PETITION NO.24903 of 2015

Between :

K. Rama Rao, S/o.Mallaiah, Aged 72 yrs,
R/o.Flat No.406, D. Block, Land Mark Residency,
Madeenaguda, Miyapur, Hyderabad & others.

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Petitioners

and

Greater Hyderabad Municipal Corporation,
Rep., by its Commissioner,
Lower Tank Bund, Hyderabad & others.

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Respondents

DATE OF JUDGMENT PRONOUNCED : 10.08.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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1. Whether Reporters of Local Newspapers : Yes / No
may be allowed to see the Judgments ?

2. Whether the copies of judgment may be : Yes / No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to : Yes / No
see the fair copy of the Judgment ?

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.24903 of 2015

ORDER :

The petitioners claim that they are the owners of different extents of plots in Sy.No.915 and 917 of Khaitalapur, Kukatpally Village, Balanagar, Ranga Reddy District, having purchased the same in the year 2003. The petitioners further state that they have made application for regularization of the said plots and the regularization was granted to them after payment of requisite fee and they are in possession and enjoyment of the said properties. The petitioners apprehend that there is possibility of taking over the said plots for laying of road and when elicited information, under Right to Information Act, the petitioners were informed that there is no proposal to lay road in Sy.Nos.915 and 917. Contrary to the information furnished to them in the year 2012, on ground now, the respondent-authorities are taking steps to lay road and they have already started working on ground to level the road. Aggrieved thereby this writ petition is filed.

2. Learned counsel for the petitioners contend that on 28.07.2015 the petitioners have submitted a representation to the Zonal Commissioner, Greater Hyderabad Municipal Corporation, Lingampally, Hyderabad (2nd respondent) offering their willingness to surrender their lands, if the respondents are in favour of laying of road. Their request is not considered so far, and on the contrary, ground work is also commenced compelling them to institute this writ petition.

3. Learned Standing counsel for GHMC, submits that the authorities would consider and dispose of the representation filed by the petitioners and that they would follow due process of law for acquiring any private land for public purpose.

4. As seen from the material filed along with the writ affidavit particularly a reading of the representation dated 28.07.2015, it appears that there is some civil dispute pending in Ranga Reddy District Court. Taking note of the same, the writ petition is disposed of, directing the respondent-authorities to follow due process of law, if the properties in Sy.Nos.915 and 917 of Khaitalapur, Kukatpally Village, Balanagar, Ranga Reddy District, claimed by the petitioners as their own, are required for the purpose of laying of road, before acquiring and utilizing the said properties. It is needless to observe that the respondent-authorities shall verify the ownership and title for

entering into negotiations or before taking steps for compulsory acquisition for public purpose. If the petitioners are in possession of the said properties, until due process is followed, they shall not be displaced. It is further made clear that this order is only concerning the issue of alleged laying of new road in Sy.Nos.915 and 917 of Khaitalapur, Kukatpally Village, Balanagar, Ranga Reddy District.

5. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

10th August, 2015.

Note :Issue C.C. in three days.

B/o.
Rds