

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

**FRIDAY, THE TWENTY EIGHTH DAY OF AUGUST TWO
THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.27613 of 2015

Between:

Banoori Venkat Swamy,
S/o. Late Balaramaiah,
Aged about 78 years,
Occ: Retd. Service,
R/o. 3-5-143/36, King Koti,
Hyderabad.

.. Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Municipal Administration Department,
Secretariat Buildings, Hyderabad & 6 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27613 of 2015

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ORDER:

According to the petitioner, he is the owner and in possession of vacant commercial and residential property bearing Block No.10, Netaji Road, Badepalli, Jadcherla, admeasuring 124 square yards. The petitioner instituted this writ petition alleging that illegally without following the due process, the respondent Municipal Corporation is trying to lay a road on the private land of the petitioner.

2. According to the learned counsel for the petitioner, no notice is issued to the petitioner proposing to acquire the land of the petitioner and no process is followed for utilization of private land for public purpose.

3. When the matter is taken up for consideration, learned Standing Counsel, on instructions, submits that the respondent Municipal Corporation is not laying any road as alleged by the petitioner and it may be private persons undertaking some developmental activity or intending to make a passage and the allegation that the respondent Municipal Corporation is laying the road without following the due process is not correct.

4. There is no material filed in support of the contention that the respondent Municipal Corporation is

laying the road in private property without following the due process of law to acquire private land for public purpose. In the absence of any material on record and in view of this categorical statement of the learned Standing Counsel, I do not see any merit in the writ petition and the writ petition is liable to be dismissed.

5. The Writ Petition is, accordingly, dismissed. If there is any subsisting grievance of the petitioner against private individuals, he has to work out his remedies as available in law. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 28th August, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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Date: 28th August, 2015

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