

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

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

:PRESENT:

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO: 5407 of 2015

Between:

G.Radha Krishna S/o. Lakshmi Narayana

..... Petitioner

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 the petitioner for the proposed road widening from Uppal X Roads to Nalla Cheruvu (within the GHMC limits) without the consent of the petitioner who is the rightful owner and member 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 petitioner as being illegal, arbitrary, unconstitutional and violative of the Principles of natural justice and consequently direct the respondents to consider the objections/claims of the petitioner Dated 24.02.2015 and 25.02.2015 and initiate the proceedings under Land Acquisition Act, for enabling the petitioner to dispute the claims and ownership of Respondent No.6 over the properties belonging to the petitioner and other properties of the Joint Family 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 limits) more particularly the properties viz., H.No.2-4-3, H.No.2-4-1/2/NR, H.No.2-4-1 (Uppal), and H.No.2-4-1 (Open land leased to Toyota and Ashok Leyland) situated at Uppal Village, Rangareddy District and further direct the respondents 2 to 5 not to dispossess the petitioner from the above stated properties without following due procedure of law or in

the alternative pay the compensation in favour of the petitioner in accordance with the applicable laws.

(Contd. 2.)

. 2 .

WPMP.NO. 7197 Of 2015

Petition under Section 151 of C.P.C. Praying that in the circumstances stated in the affidavit filed in the Writ Petition, the High Court may be pleased to direct the respondents 2 to 5 not to dispossess the petitioner 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.2-4-3, H.No.2-4-1/2/NR, H.No.2-4-1 (Uppal), and H.No.2-4-1 (Open land leased to Toyota and Ashok Leyland) situated at Uppal Village and Mandal, Rangareddy District, pending disposal of Writ Petition No. 5407 of 2015 on the file of the High Court.

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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 P. Pandu Ranga Reddy, Advocate for the Petitioner, and the Govt. Pleader for Municipal Administration (TG) for the Respondent No. 1 and Smt. A. Deepthi, Standing Counsel for GHMC for the Respondent Nos. 2 to 5, the Court made the following

ORDER:

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

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. Two CCs to the Govt. Pleader for Municipal Administration (TG), High Court at Hyderabad. (OUT)
2. One CC to Smt. A. Deepthi, Standing Counsel for GHMC , High Court at Hyderabad (OUT)
3. One CC to Sri P. Pandu Ranga Reddy, Advocate(OPUC)
4. One spare copy.

Tvr

HIGH COURT

ARR.J

DATED: 09-03-2015

NOTE: POST TOMORROW IN THE MOTION LIST

ORDER

W.P. NO.5407 OF 2015

INTERIM ORDER EXTENDED

DRAFTED: TVR

DATED: 09-03-2015

HIGH COURT

ARR.J

DATED: 09-03-2015

NOTE: POST TOMORROW IN THE MOTION LIST

ORDER

W.P. NO.5407 OF 2015

INTERIM ORDER EXTENDED