

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.10722 of 2009

ORDER:

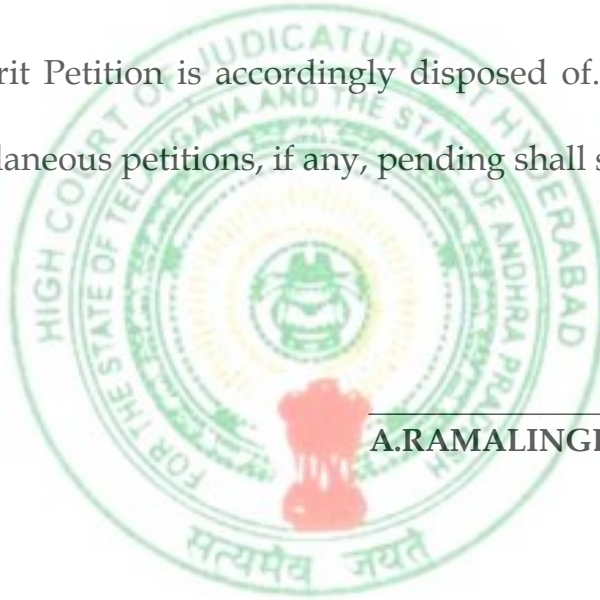
1. This writ petition was filed challenging the action of the respondents in seeking to acquire the lands and buildings bearing Municipal Nos.10-13-48/1, 10-13-122, 10-13-51, 10-13-49 & 50 and 10-13-48 situated at Lakshmipuram, Kasibugga Chowrastha, Narsampet road, Warangal District respectively, abutting to a road leading from Pochamma Maidan to erstwhile Azamzahi Mills without initiating proceedings under the Land Acquisition Act and without paying any compensation.
2. This Court by order dated 29.05.2009 directed the respondents not to acquire and demolish the said property pending disposal of the writ petition.
3. A counter-affidavit is filed by the 1st respondent stating as follows:

“It is submitted that road widening or junction improvements will be carried out as per approved 1971 Master Plan and DP 13/87 and the same has got to be implemented by the authorities concerned. Hence, it is false to state that this respondent is influenced by others and hence denied. In respect of legal properties having the building permission, if required for widening the road, this respondent as well as the 2nd respondent will negotiate with the owners of land and building for such road widening and on their consent only, the same will be utilized for the purpose of road widening. The writ

petitioners, who have raised their structures contrary to the Building Rules and Zonal Regulations, cannot prevent this respondent or any other authority from implementation of road widening as per the 1971 Master Plan.”

4. In view of the interim order dated 29.05.2009 and the averments made in the counter-affidavit, it is made clear that if the respondents want to acquire any portion of the property of the petitioners, they have to follow due process of law.

5. The Writ Petition is accordingly disposed of. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.



A.RAMALINGESWARA RAO, J

15-11-2016
Gsn