

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.11458 of 2016

ORDER:

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Heard Sri S. Ravinder Reddy, learned counsel for the petitioners, and Sri V. Satyam Reddy, learned Standing Counsel for the Karimnagar Municipal Corporation.

The prayer of the petitioners in this case is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue an appropriate writ, order or direction, more in the nature of Writ of Mandamus, declaring the action of the respondents in not paying the compensation pertaining to the petitioners premises bearing H.No. 1-5-85 situated at Kaman Chowrastha to Geetha Bhavan Chowrastha, Karimnagar Town which were acquired and demolished the structures for the purpose of widening the existing road etc., inspite of repeated visits including the written representation dated 08.12.2015 as being illegal, arbitrary and is in violation of principles of natural justice and fair play apart from being in violation of Articles 14, 21 of the Constitution of India and consequently direct the respondents herein to the compensation to the petitioners forthwith, and pass such other order or orders as are deemed fit and proper.”

The petitioners seek compensation from the municipal authorities in relation to the demolition of their structures for the purpose of road widening. It appears that the petitioners’ representation dated 08.12.2015 made to the municipal authorities has not been considered till date. As the municipal authorities concerned are yet to apply their mind to the said representation dated 08.12.2015 and take a decision in the matter, this Court sees no reason to entertain this writ petition at this stage for adjudication on merits.

The writ petition is accordingly disposed of directing the Commissioner, Karimnagar Municipal Corporation, to consider the petitioners’ representation dated 08.12.2015 and take appropriate

action thereon in accordance with law. In the event the petitioners' request for compensation is rejected, the reasons therefor shall be recorded and duly communicated to them. This entire exercise shall be completed expeditiously and in any event, not later than three months from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

7th April, 2016
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