

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.39880 of 2012

ORDER

This writ petition is filed seeking to declare the action of the respondents in trying to demolish the petitioner's property bearing Municipal No.17-2-472, situated at Kurmaguda, Saidabad, Hyderabad, for road widening without issuing any notice, as arbitrary and illegal.

The petitioner is owner of the aforesaid property. He got the said land by virtue of an unregistered deed of partition dated 16.12.1958. A notification under Section 4 (1) of the Land Acquisition Act was published in A.P.Gazette on 24.2.2009 and the name of the petitioner was shown at Sl.No.26 of Form No.7 issued by the 3rd respondent. The petitioner submitted the required documents on 12.3.2009. Thereafter, an Award was passed on 13.10.2009 by the 3rd respondent and the petitioner received compensation under protest on 27.2.2012. The land acquired by the 3rd respondent is an extent of 300.37 square yards. When another attempt is made to acquire part of the land retained by him for the alleged purpose of road widening, the present writ petition, was filed.

On 27.12.2012, this Court directed the respondents not to take any steps for dispossession or dismantling the properties of petitioner, as otherwise than due process of law. The said order has been in operation till today.

No counter-affidavit is filed by respondents 1 to 3 for the last four years.

In view of the nature of relief sought in the present writ petition, this Writ Petition is disposed of making the interim order dated 27.12.2012 as final order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

8th November, 2016
rkk

