

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.35155 of 2012

ORDER:

This writ petition was filed challenging the action of respondents in seeking to dispossess the petitioners from the possession of their property in Survey No.953 of Hanumakonda village situated at Hunter Road opposite to Van Vigyan, Hanumakonda for formation of road from 80 feet to 100 feet road.

A counter affidavit was filed by the Executive Engineer (R & B Division), Warangal stating as follows:

"I submit that, the contents and averments made by the petitioners are false and the said Hunter road is a 100 feet road as per the Master plan sanctioned in 1971. A copy of the Master plan obtained from Kakatiya Urban Development Authority, Warangal is herewith enclosed for kind perusal of this Hon'ble Court. The improvements of the existing 100 feet road are taken up to widen the existing 25 feet B.T. carriageway to 61 feet B.T. carriageway with side drains ending at 50 feet in 1971. The R & B department has no requirement to acquire the land of the petitioners, as the entire widening is taken up with in the existing 100 feet right of way of the road only. This department has not encroached any of the land of the petitioners as the scope of the work is with in the 100' right of way in accordance with the Master plan sanctioned in 1971. As already stated in the above paras there is no need to acquire the land of the petitioners as the work is taken up well within the existing 100 feet right of way of the road and hence the question of compensation does not arise."

In view of the above averments, the property of petitioners is not affected and when the property of petitioners is not affected, no relief need be granted in the present writ petition.

Accordingly, this writ petition is dismissed. No order as to

costs. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

23.02.2016

MVA