

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION Nos.40294 & 40317 OF 2010

Dated:22.11.2016

Between:

Smt. Kothapalli Saraswathi,
W/o. K. Pandurangam, Aged
about 67 years, R/o.H.No.5-6-80,
Janmabhoomi Road, Vidyanagar,
Kamareddy Town, Kamareddy
District and others

.. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Department of
Municipal Administration, Secretariat,
Kamareddy and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION Nos.40294 & 40317 OF 2016

COMMON ORDER:

Heard both sides. With the consent of both the learned counsel, these Writ Petitions are disposed of at the stage of admission.

2. These Writ Petitions are filed by the petitioners stating that the respondent – Kamareddy Municipality is threatening them everyday to evict and demolish their properties by referring to the markings, which were shown in the photographs filed along with the Writ Petitions.

3. Learned counsel for the petitioners would submit that without following the procedure laid down by law and without acquiring the private properties even for public purpose, the respondent - Municipality has made markings over the properties of the petitioners and are threatening to demolish the marked portion.

4. Learned Standing Counsel for the respondent – Municipality, on instructions, would submit that the said markings are made in the process of preparing the Master Plan for future development of Kamareddy Town, more particularly as the Town has now become the headquarter for the newly created district. He would further submit that there is no proposal as of now to acquire or demolish the properties of the petitioners and the respondent – Municipality would follow the due procedure as and

when required before taking over the properties of the private persons, like the petitioners.

5. Before parting with the case, it is to be noted that on an earlier occasion, a Writ Petition, with the allegations as raised in the present Writ Petitions, was disposed of on the basis of an undertaking given by the Commissioner to the effect that Municipality would follow due procedure before affecting private parties. As there is no clarity by the Municipality, panic ridden individuals are rushing to the Court apprehending dispossession. In order to avoid such panic situation and driving people to this Court, the Municipality shall issue a general clarification informing the residents of the town with regard to the purpose of conducting survey and the decision of the Municipality to acquire private property for public purpose only after following the due procedure.

6. Having regard to the undertaking given by the Commissioner of the respondent – Municipality, without going into the merits of the matter, these Writ Petitions are disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in these Writ Petitions shall stand closed.

P. NAVEEN RAO, J

Date:22.11.2016

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