

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.43825 OF 2016

DATED : 19.12.2016

Between :

Gubire Mallesham S/o.Rajaiah, Hindu,
Aged 48 yrs, R/o.H.No.2-35,
R/o.Bejjanki Village, Bejjanki Mandal,
Siddipet District & others.

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Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Transport, Roads & Buildings Department,
Secretariat, Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Petitioners allege that the Gram Panchayat is forcing them to part with the properties belonging to them on the ground that the existing road is sought to be widened and therefore the properties of the petitioners have to be surrendered for the purpose of widening of the road and a notice was issued on 02.12.2016.

2. Learned counsel for the petitioners submit that though the notice is in the form of a request, but the persons in the helm of affairs of the Gram Panchayat are threatening and forcing the petitioners to part with their properties without following the due process, and no private property can be used for any public purpose.

3. Learned Standing counsel for the Gram Panchayat, fairly submits that no private property can be used for public purpose, that too the Gram Panchayat or the Roads & Buildings departments have to follow due procedure, if a private property is required for public purpose.

4. Having regard to the above submissions, the writ petition is disposed of, directing the respondent-authorities to follow the due procedure before affecting the private properties for public road and not to threaten the petitioners to part with their respective properties. There shall be no order as to costs.

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

P.NAVEEN RAO,J

19th December, 2016
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