

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 34709 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

2. With the consent of both the parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue a Writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of respondent Nos.2 and 3 in laying roads in the private property of petitioner in Survey No.112 of Nyalkal Village, Zaheerabad, Sanga Reddy, Medak District, without issuing notice or initiating the acquisition process, as illegal, arbitrary and violative of Articles 14 and 300-A of the Constitution of India apart from being violative of principles of natural justice and consequently direct respondent Nos.2 and 3 to restrain from closing the well in the said property and pass such other order or orders as this Hon’ble Court may deem it fit and proper in the circumstances of the case in the interest of justice’.

4. Though various grounds are raised, learned counsel for the petitioner restricts his prayer seeking a direction to the 2nd respondent to consider his representation dated 06.10.2016,

questioning the action of the respondents in trying to lay road by closing well, without following due process of law

5. Learned Government Pleader for Revenue would submit that any action taken by the authorities would only be in accordance with law.

6. Recording the said submission, the writ petition is disposed of directing respondent No.2 to consider the representation made by the petitioner and in case if they intend to lay road and close the well across the land of the petitioner in Survey No.112 of Nyalkal Village, Zaheerabad, Sanga Reddy, Medak District, the same shall be done in accordance with law.

7. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

17.10.2016,
vnb

