

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15283 of 2017

ORDER:

The grievance of the petitioner is that for the purpose of road widening, marking has been done for demolition of the boundary wall of open land, bearing Plot No.3, East part in Survey Nos.7, 7/1, 8, 9, 10, 11 and 12, admeasuring 812 Sq.yards, situated in Ward No.8, Block No.5 of Defence Colony, Ring Road Facing, Karmanghat Village, Saroor Nagar Revenue Mandal, Ranga Reddy District.

Learned counsel for the petitioner also submits that except compound wall there are no constructions in the subject land.

Sri Pasham Krishna Reddy, learned standing counsel for the Municipality, on instructions from the respondent authorities viz., Sri Subhash, Assistant City Planner, GHMC, stated that in the Karmanghat road, there is no road widening is being taken up, if at all any road widening is being taken up and if the petitioner's property is likely to be affected, the respondent authorities would issue notices both under the Municipal Corporation Act as well as under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and it is only by following due process of law the property of the petitioner will be acquired. It is also the assertion of the learned standing counsel that there are no constructions in the site. Therefore, learned standing counsel apprehends that by obtaining order of 'not to interfere with the possession and enjoyment of the petitioner without due process of law', the petitioner may make constructions in the subject land. Hence, it is made clear that no constructions shall be taken up without obtaining permissions as

required under the building byelaws under the Hyderabad Municipal Corporation Act.

Accordingly, the Writ Petition is disposed of. No order as to costs. Consequently, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

CHALLA KODANDA RAM, J.

Date:25.04.2017
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