

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15858 of 2017

COMMON ORDER:

Heard the learned counsel for the petitioners and learned Government Pleader for Road and Buildings.

Petitioners claim to be owners of different extents of lands in different survey numbers situated at Yergatla Village and Mandal, Nizamabad District. They state that, without initiating land acquisition proceedings and without payment of compensation, respondent – authorities are laying 66 feet road through their lands. Hence the Writ Petition.

It is well settled that citizens shall not be deprived of property rights protected under Article 300-A of the Constitution of India without following due process of law and, if the lands of the petitioners are required, State is at liberty to acquire the same by paying just compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Act 30 of 2013).

The Writ Petition is, accordingly, disposed of with a direction to the respondent – authorities not to interfere with the petitioners' properties without following due process of law and without initiating proceedings under Act 30 of 2013.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

CHALLA KODANDA RAM,J

Date: 27.04.2017
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