

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.11252 OF 2008

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ of mandamus declaring the action of the respondent authorities in trying to lay a road illegally through the house site plots of the petitioners bearing Nos.15 & 16, to an extent of 31 sq.yds. each, situated in between Sy.Nos.3 & 70, R & B Khammam to Warangal Road of Thorrur Village and Mandal, Warangal District, as arbitrary, illegal and violative of principles of natural justice and consequently direct the respondents not to dispossess the petitioners from their house site plots without following the due process of law.”

2. The main grievance of the petitioners is that the respondents are trying to lay a road illegally through their house sites without following the due process of law.

3. Heard and perused the material available on record.

4. This Court, by an order, dated 29.05.2008, directed the respondents not to lay a road on the lands of the petitioners unless the same is acquired in accordance with law. On 10.11.2010, as no counter was filed and there was no representation on behalf of the respondents, the order, dated 29.05.2008, was made absolute. Considering all the facts and circumstances of the case, the respondents are hereby directed to follow the due process of law if they intend to lay a road on the lands of the petitioners.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

Date: 11.09.2017
AMD



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