

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1480 OF 2017

ORDER:

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

“to issue, writ, order or a direction, more particularly a Writ of Mandamus, declaring the action of the Respondents herein particularly respondents Nos.2 to 6, trying to dispossess petitioner from petitioners house property i.e., open land forming part and parcel of house bearing Municipal No.9-8-109/A/66, admeasuring 1977.00 Square Yards or equivalent to 1652.96 Sq Mts, situated at Qila Mohammed Nagar, Barah Mahal, Golconda, Hyderabad, T.S in the guise of land acquisition, without initiating any proceedings, without issuing notice or without following due process of law as illegal, arbitrary, violation of his fundamental rights and against the principles of natural justice and pass such other and further orders as may be deemed just and necessary in the circumstances of the case.”

2. Case of the petitioner is that the official respondents herein are trying to dispossess him from the aforementioned property under the guise of acquiring land for Rajiv Vidya Mission Project without following the due process of law.

3. Learned Standing Counsel appearing for respondent Nos.2 and 3 - Greater Hyderabad Municipal Corporation stated that the Corporation is not intending to acquire the aforesaid property. He further submitted that the petitioner has made illegal and unauthorized construction of tin shed and compound wall in the said property without obtaining any permission from the Corporation.

4. Considering the rival submissions, the official respondents are directed not to acquire the aforementioned property without following the due process of law and if any illegal and unauthorized construction is made by the petitioner, the official respondents shall issue notice to the petitioner and then, proceed in accordance with law.

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

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

Date : 02.06.2017
AMD

JUSTICE RAJA ELANGO



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