

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.25652 OF 2017

Date 02.08.2017

Between:
Bhukya Bhadramma.

... Petitioner

AND

The State of Telangana rep. by its Secretary Tribal
Welfare, Secretariat, Hyderabad and others.

.....Respondents



HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**WRIT PETITION No.25652 of 2017****ORDER:**

Heard Sri Jogram Tejavath, learned counsel for the petitioner and learned Government Pleader for Tribal Welfare (TS).

Petitioner claims to be in possession of ancestral property admeasuring Ac.1.24 gts. in Sy.No.83/1/2 situated at Dornakal Village, Mahabubabad District. The grievance of the petitioner is that the respondents, without acquiring the subject land, are laying road affecting her property. However, as on date, no acquisition proceedings or any other proceedings were initiated. 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 land of the petitioner is 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 petitioner's land admeasuring Ac.1.24 gts. in

Sy.No.83/1/2 situated at Dornakal Village, Mahabubabad District 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: 03.08.2017
usd

