

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15518 OF 2017

ORDER:

This writ Petition is filed seeking following relief -

“.....to declare the action of the respondent nos.3 and 4 in trying to interfere with the peaceful possession and enjoyment of the petitioners lands to an extent of 5 feet on either side of the existing road from the petitioners lands bearing pattedar pass book No.685 admeasuring 5 acres 12 guntas in Survy Nos.54, 55, 178, 179, 219 and 224 situated at Rampuram village, Maripeda Mandal, Mahabubabad district without initiating acquisition or requisition proceedings as being illegal, arbitrary, unjust, improper and is in negation of established judicial precedents besides in violation of principles of fair play, consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the aforesaid lands without following due process of law in the interest of justice.”

Learned Government Pleader had placed on record the instructions received from the Executive Engineer (R&B), NH Division, Warangal, which reads as under –

“With reference to the subject cited, I am to state that the Giripuram to Rampuram road was sanctioned under CRF scheme for Rs.1000.00 lakhs. The length of the road is 10.00 Kms. But the strengthening and widening of the road was sanctioned from Km 0/0 to 6/600 only. We are not taking up any work in the Rampuram village and above petitioners survey numbers.

Therefore, the stretch of the road which is falling in the petitioners' survey numbers is not effecting in widening work.”

As of now, there appears to be no threat to the petitioners' property. However, it is made clear, in the event of road extension is being done either upto the petitioners' property or beyond, and

in the event of the petitioners' property likely to get affected, respondents shall take-up any work only after following due process of law.

With the above direction, the Writ Petition is disposed of. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date:28.04.2017
Ssv

