

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.18957 OF 2017

ORDER:

The writ petition, under Article 226 of the Constitution of India, is filed seeking a writ of Mandamus to declare the action of the respondents in trying to lay road on the land of the petitioner admeasuring 300.66 square yards situate in Sy.No.993 of Ward No.3, Ravindranagar, Sadasivapet Municipality Limits of Medak District, without following due process of law, as illegal and arbitrary and consequently, direct the respondents not to interfere with the possession and enjoyment of the land of the petitioner except in accordance with law.

The case of the petitioner is that he has purchased the above said property through a registered sale deed. The respondent authorities, under the guise of laying road through the land of the petitioner, are trying to interfere with the possession of the petitioner over the said land, without acquiring the land.

Learned Government Pleader for Roads & Buildings submits that the allegations made by the petitioner are false. If really the property of the petitioner is required, the respondent authorities would follow the due process of law and appropriate steps would be taken in accordance with law.

In the light of the submissions made by the respective counsel and in view of the admitted facts of the case that the petitioner is in possession and enjoyment of the property, her possession shall not be interfered with by the respondent authorities without following the due

process of law as enjoined whether under the Land Acquisition, Rehabilitation and Resettlement Act, 2013 or in any other law.

Accordingly, the writ petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the petitioner except following the due process of law. No order as to costs.

Miscellaneous petitions pending, if any pending, shall stand closed.

June 13, 2017
KTL

RAJA ELANGO, J

