

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15182 OF 2017

ORDER:

The Writ Petition is filed challenging the action of the respondent authorities in threatening to demolish the petitioners' houses, situated on the either side of the road leading from Three Shops Centre, Mahabubabad via Vaddera Basti to Tallapusapally, Mahabubabad District, for widening of the road from 60' road to 100' road.

It is the case of the petitioners that they are the owners of the residential houses situated on the either side of the Three Shops Centre, via Vaddera Basti to Tallapusapally, leading from Mahabubabad and they are all poor and middle class families. It is further submitted that the road leading from Mahabubabad to Tallapusapally road is 40' wide and the said road is an internal road and the width of the road is quite sufficient and at no point of time there had been any traffic congestion, yet, subsequent to formation of Mahabubabad District, the Government has proposed to widen the existing roads from 40' to 60' and the inauguration was also done on 11.09.2016. However, the respondent authorities have changed their proposal of widening of the road from 60' to 100' and accordingly made markings in the said locality. It is further submitted that though they have made several agitations and submitted a representation dated 20.03.2017, the respondent authorities paid a deaf ear and are bent upon to widen the road upto 100'. If the respondent authorities are allowed to proceed with the demolition upto 100', they will suffer irreparable loss. Hence, the present Writ Petition.

Learned counsel for the petitioner submits that the respondents-authorities are making hectic efforts to demolish the petitioners' houses for extension of the existing road, even without issuing notices and without following due process of law.

Learned Government Pleader for Roads and Buildings (Telangana) submits that the allegations made by the petitioners are false. If really the land of the petitioners 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 fact that the petitioners are in possession and enjoyment of their properties, their possession shall not be interfered with by the respondents-authorities without following due process of law as enjoined, whether under the Right to Fair Compensation and Transparency of Land Acquisition, Resettlement and Rehabilitation Act 20 of 2013 or in any other law.

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

As a sequel to disposal of the writ petition, W.P.M.Ps., if any, pending shall stand closed.

CHALLA KODANDA RAM, J

Date:25.04.2017.
Ssv