

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.40613 OF 2015

ORDER:

The present writ petition came to be filed seeking to declare the action of the respondents in laying the road from the Plot No.36, situated at Sy.No.154 of Kodada Village, Nalgonda District of the petitioner, as illegal and arbitrary.

The averments made in the writ affidavit show that the petitioner purchased the above said plot through a registered document No.1513/87 dated 22.6.1987. Due to family necessities, the petitioner left his village and started staying in Hyderabad. While things stood thus, due to absence of the petitioner's family members in the village, the respondents laid the road through the plot of the petitioner, without initiating any land acquisition proceedings and without paying any compensation. It is stated that when the petitioner submitted the representations on 14.7.2009, 24.8.2012 and 13.5.2015 to the respondents, it is informed to the petitioner that an open alternative plot will be provided to the petitioner, but neither alternative plot was allotted nor any compensation was paid to the petitioner.

Though this Court directed the respondents to file counter on 15.12.2015, no counters have been filed so far.

On the other hand, petitioner filed an additional affidavit seeking leave which was allowed.

Sri N. Praveen Kumar, learned Standing Counsel for the respondents 4 and 5, would submit that no road is laid through the land of the petitioner and if the road is sought to be laid, the same will be done, in accordance with the procedure prescribed under law.

Recording the submission made by the learned Standing Counsel for the Corporation that any interference with the plot of the petitioner which is referred to above, shall only be in accordance with procedure

established by law, the writ petition is disposed of. It is needless to mention that if the petitioner intends to make any construction including the compound wall, he shall apply for necessary permission from the competent authority, in which event, the competent authority shall deal with the same and pass appropriate orders in accordance with law. No order as to costs.

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

C. PRAVEEN KUMAR, J

Dated:31.10.2018.
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31



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