

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

Writ Petition No.2276 of 2018

ORDER :

Heard the learned counsel for the petitioners and Sri T.Sudhakar Reddy, learned Standing Counsel who offers to appear from written instructions for R.4 and learned Govt. Pleader for Municipal Administration for R.1 and Sri N.Ashok Kumar, learned Standing counsel for R.2 and 3 offers to appear from the instructions and perused the prayer in the writ petition with supporting affidavit and the written instructions received from the learned Standing counsel for the 4th respondent-Hyderabad Metropolitan Water Supply & Sewerage Board(for short, 'HMMWSSB') and other material on record.

2. The prayer in the Writ Petition as follows:-

“to issue a writ or order or direction, more particularly, one in the nature of writ of Mandamus declaring the action of the respondents in interfering and encroaching with the agricultural lands of the petitioners situated in sy.Nos.4,5,9 and 10 situated at Sogbowli village, H/o. Upperpally, Rajendra Nagar Mandal, Ranga Reddy District and also the owners of the lands in Sy.Nos.75,76,77,101,102,103, 104 and 105 respectively situated at Upperpally village, Rajendra Nagar Mandal, Ranga Reddy district admeasuring to an extent of totally Ac.19-30 guntas without any due process of law as illegal, arbitrary, unjust and violative of Article 14,19,21 and 300-A of Constitution of India besides being violative of principles of natural justice and consequently direct the respondents herein not to interfering and encroach with the petitioners lands in Sy.Nos.4,5,9 and 10 situated at Sogbowli Village, H/o Upperpally, Rajendra Nagar Mandal, Ranga Reddy District and also the owners of the lands in Sy.Nos.75,76,77,101,102,103,104 and 105 respectively situated at Upperpally village, Rajendra Nagar Mandal, Ranga Reddy district, without following due process of law and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.”

3. In sum and substance, it is not to interfere by encroaching the property of the petitioner except following due process of law. The written instructions received by the learned Standing Counsel for the 4th respondent-HMWSSB no way speak that they need not follow due process of law.

4. Having regard to the above, the Writ Petition itself is disposed of not to encroach the property of the petitioner without following due process of law if at all to acquire.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

Date:07.02.2018

Vvr

Note: Issue copy by tomorrow.
b/ o.vvr.

Dr. B.SIVA SANKARA RAO J,

