

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.24124 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the respondent No.2/Commissioner are placed on record by the learned Government Pleader. Para 4 of the said instructions reads as under:-

“In reply to this paragraph, it is to state that the Section 146 of Hyderabad Municipal Corporation Act, 1955 provides for acquiring the land on agreement and if such attempts are failed, then we can initiate action for compulsory acquisition under Section 147 of the Act. For the purpose of acquiring the land under Section 146 of the respondent-Corporation has inclined to take up negotiations and accordingly, on following due procedure, the land will be taken for constructing the Storm Water Drains. It may not be out of place to mention that considering the public purpose, the respondent-Corporation is providing various facilities and wherever any private land is affected in such cases, the respondent-Corporation offering various concessions and benefits under G.O.Ms.No.119 MA, dated 28.03.2017. In case, the petitioners do not agree for concessions and benefits offered, in such case further action will be taken for acquiring the land in the public interest to construct the drain.”

By placing on record the above said instructions, the Writ Petition is disposed of, with a direction to the respondent-Corporation to follow due process of law if the private property of the petitioners is required for any public purpose.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date: 17.07.2018
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