

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.43490 OF 2018

Date:30.11.2018

Between:

Acha Ravinder, S/o. Late Acha Sri Hari,
Aged about 53 years, Occ: Cycle Mechanic,
R/o. H.No.5-11-214/1, Naim Nagar,
Hanamkonda Mandal, Warangal District,
Telangana, India

.. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Municipal
And Urban Development
Department, Secretariat Buildings,
Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.43490 OF 2018****ORDER:**

Heard learned counsel for petitioner; learned Standing Counsel for Municipal Corporation appearing for respondent No.2 and learned Government Pleader for Revenue appearing for respondent No.3.

2. In this Writ Petition, petitioner alleges that he is the owner of property bearing No.5-11-214/1, Naim Nagar, Hanamkonda Mandal, Warangal District. While so, the respondent - Municipal Corporation highhandedly trying to dispossess the petitioner and acquire his property without following due process. Alleging such illegal action, the Writ Petition is filed.

3. A caveat petition is filed and a copy of the same is enclosed to Writ Petition material paper book. A reading of the affidavit filed in support of the caveat petition would show that the Government sanctioned duct and drain along with the National Highway from Petrol Pump to Kakatiya University Junction to cater to the needs of the public at large. In that process, the lands/buildings which are coming in the way of causing obstruction to the work were identified. It is further alleged that the respondents therein made encroachments over the public road. Therefore, the respondent - Corporation is taking steps with due process of law for construction of duct and drain along with the stretch-Petrol Pump to Kakatiya University Junction, Hanamkonda, Warangal.

4. Thus, the averments made in Paragraph No.3 of the affidavit filed in support of the caveat petition itself would show that the respondent – Corporation intends to follow due process to acquire the private lands for public purpose and/or to remove the encroachments on the public road, wherever the private persons have illegally encroached into the public road.

5. Learned Standing Counsel for respondent – Corporation also informs the Court that she was instructed to represent that the Municipal Corporation will follow due process before acquiring the lands of private persons/eviction of persons who have unauthorizedly or illegally occupied the public property.

6. In view of the categorical stand of the respondent – Corporation and the instructions of learned Standing Counsel, the apprehension expressed by the petitioner does not survive any more and accordingly the Writ Petition is disposed of. Pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

Date:30.11.2018

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