

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.41711 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed requesting to issue a Writ of Mandamus declaring the action of the 2nd respondent in forming a road in the land of the petitioner i.e., land in Sy.Nos.384/B, 386/E and 387/AC of Waddepally village of Hanamkonda Mandal, Warangal District, without initiating acquisition proceedings, as illegal, arbitrary, violative of principles of natural justice & Article 300-A of the Constitution of India and consequently direct the 2nd respondent not to form any road in the said lands.

2. Learned counsel for the petitioner submits that the petitioner is the absolute owner and possessor of the subject property and that, on 14.11.2018, when the respondents laid mud across the subject property for forming pacca road, the petitioner made enquiries and came to know reliably that the 2nd respondent is laying road. She would further submit that the petitioner made a representation, dated 15.11.2018, to the Commissioner of the Greater Warangal Municipal Corporation stating the facts and that, in view of the high handed action of the 2nd respondent in attempting to lay a road in the property of the petitioner, without acquiring the land of the petitioner, the present writ petition is filed.

3. Learned Standing Counsel appearing for the 2nd respondent Municipal Corporation, on oral instructions, submits that a kutchra road already exists in the property, which is being claimed by the petitioner, and that the Corporation is not laying any new road, as being contended before this Court by the petitioner.

4. Learned counsel for the petitioner, in reply, submits that the statement made by the learned Standing Counsel may be recorded and the writ petition may be disposed of.

5. Accordingly, recording the afore-stated submission of the learned Standing Counsel, the Writ Petition is disposed of.

There shall be no order as to costs.

As a sequel, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.



M.SEETHARAMA MURTI, J

20.11.2018

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