

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.44834 OF 2018

Date: 11.12.2018

Between:

Kethireddy Ramachandra Reddy,
s/o. late Lakshminarsimha Reddy,
Aged about 78 years, occu: Agriculture,
R/o. 3-4-526/6, Flat No.102,
Kaveri Enclave, Bharkatpura,
Hyderabad.

.....Petitioner

and

The State of Telangana, rep.by its
Prl.Secretary, Panchayat Raj and
Rural Development Department,
Secretariat Buildings, Secretariat,
Hyderabad, Telangana and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims that he is the owner and in possession of lands in Sy.Nos.1, 2/A, 246/A, 247/1, 248/1, 261, 262, 263, 264/1, 272/A/1, 273, 274 and 275 at Ravulapalla village, Thungathurthy Mandal, Suryapet district. Petitioner alleges that respondents are now laying a road in land to an extent of Ac.1.00 guntas in Sy.Nos.1 and Ac.0.27 guntas in Sy.No.2/A of the same village without following due process. Except bald pleadings as noted above, there is no other averment as to how the respondents are trying to utilize the private patta land of petitioner for public purpose without following due process. Except showing that petitioner possessed pattadar pass books and other documents in support of his claim that he owned the said land, no other material is placed on record to show that respondent authorities have already taken a decision to lay a road, following due process, work is grounded and work is in progress. Laying of a road cannot happen overnight and, therefore, petitioner cannot say that suddenly somebody has come and laying road overnight and that there was no time for the petitioner to go before the competent authority and file a complaint on alleged utilization of private patta land for public purpose. A person cannot directly rush to this Court by invoking extraordinary jurisdiction of this Court under Article 226 of the Constitution of India even without ventilating his grievance before the competent authority. It is not a case of causing irreparable damage which cannot be redressed. Thus, this Court is not inclined to entertain the Writ Petition and is accordingly dismissed, leaving it open to petitioner to make

appropriate representation to the Deputy Executive Engineer, Panchayat Raj Department, Thorrur and the Mandal Parishad Development Officer, Thorrur ventilating his grievances and if such representation is made by the petitioner within a week from the date of receipt of copy of this order, the objection shall be considered objectively and appropriate decision be communicated assigning reasons in support of the decision. If the land is private patta land and is required for public purpose, due process shall be followed before displacing the petitioner. Pending miscellaneous petitions shall stand closed.

Date: 11.12.2018
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JUSTICE P.NAVEEN RAO



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