

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 45040 of 2018

Date : 13.12.2018

Between:

Koneru Ramesh Babu S/o late Sri K Venkateshwara Rao Aged 64
years Occupation Retd Govt employee R/o Flat No 102
Yalamanchili Vari Achutha Nivas New Postal Colony Main Road
Patamata Vijayawada A P

Petitioner

And

The State of Andhra Pradesh
Rep by its Principal Secretary Municipal Administration and Urban
Development Secretariat Buildings Velagapudi Amaravathi &
OTHERS

Respondents

The Court made the following:



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ORAL ORDER:

Petitioner claims to be owner and possessor of House bearing Door No. 57-8-13, Patamata, Vijayawada having an extent of 78 sq yards. Petitioner claims that it was ancestral property and has fallen to his share. Petitioner alleges that respondents are in the process of widening the road opposite to the property of petitioner and in the process respondent corporation is demanding petitioner to surrender the land owned by him. Alleging that petitioner is being forced to agree to part with the property contrary to his intention, this writ petition is filed.

2. As of now, no proceedings for land acquisition were initiated. Section 146 of the Greater Hyderabad Municipal Corporation Act, enables the respondent corporation to negotiate with the owner of the property for parting with the property owned by person and in the event the owner of the property is not agreeing for such negotiations, there is no option for the municipal corporation but to place requisition to acquire land under 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013' (Act 30 of 2013) and follow due process.

3. No material is placed on record to show that corporation has expressed any such intention to acquire land of the petitioner or intention to widen the road and steps are being taken to widen the road. Thus, cause in the writ petition is premature. Accordingly, writ petition is dismissed leaving it open to the petitioner to workout his remedies as and when cause arises. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

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TVK

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