

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.3737 of 2019

ORDER:

The grievance of the petitioner is that though in the year 2016 he was issued with a notice intimating that his land over an extent of 32.02 square yards is required for road widening, no proceedings were initiated at that point of time; however, now the respondent authorities are interfering with his possession and enjoyment of the property, without acquiring the same and paying compensation by following due procedure prescribed under law

2. Respondent No.3 filed counter affidavit. Paragraph No.10 of the counter affidavit reads as under:

10. I state that, the Asst. City Planner, Circle-9, South Zone, GHMC vide Lr. No.801/RW/ACP/C9/GHMC/2017, dated 08-01-2019 submitted a fresh/new requisition in respect of Petitioner's property bearing MCH No.21-2-357 admeasuring to an extent of 32.20 Sq.Yds, to lay 30' road from Lad Bazar to Mitti-Ka-Sher, opp: to Julukhan Kaman under Charminar Pedestrianisation Project, Hyderabad. The Survey staff of this 3rd Respondent's Office, demarcated the affected property of the Petitioner and submitted Sub-Division records for taking further action and action is being taken for approval of the 2nd Respondent. And after approval of the 2nd Respondent to acquire the land for Acquisition, Respondents will follow the procedure in accordance with the provisions of Land Acquisition Act 30 fo 2013.

It is to state that, the Petitioner's affected property will be acquired by following due process of Law in the public interest as contemplated under Act 30 of 2013.

3. From the above, it is clear that, as on date, the property of the petitioner is not under acquisition; however, the same is proposed to be acquired and a requisition to that effect has already been submitted by the Assistant City Planner.

4. In the circumstances, till such time the affected property of the petitioner is acquired by following the due procedure prescribed under law, his possession and enjoyment over the property shall not be interfered with by the respondents in any manner.

5. Subject to the above, the writ petition is closed. No costs. Miscellaneous petitions, if any pending, shall stand closed.

JUSTICE CHALLA KODANDA RAM

04th April, 2019

KSM



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