

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.5149 of 2019

ORDER

This writ petition is filed seeking to declare the action of the respondents in trying to dispossess the petitioner from his land to an extent of 600 square yards in Plot No.3 in Sy.No.105 (Part), situated at Raidurg Nav Khalsa Village, Serilingampalli Mandal, Ranga Reddy District, for road widening by laying water pipe lines and for construction of compound wall and walking track without initiating proceedings for acquisition of land, as illegal and arbitrary.

2. The petitioner asserts that he is the absolute owner and possessor of the aforesaid land vide registered sale deed dated 25.02.1999 in document No.1778 of 1999 having purchased the same from one B. Ashok Babu, s/o.late B. Venkatnarayana. He further asserts that the respondents, without following due procedure, are trying to utilize his land for the purpose of road widening. He further asserts that when the respondents had insisted him to handover the subject property, he has addressed a letter dated 12.06.2018 to the 2nd respondent-Deputy Commissioner by giving consent to handover the possession of his entire property and for payment of compensation for the said land. The said letter was received by the Office of the Commissioner as evident from the postal acknowledgment. The petitioner also asserts that though the said letter was received six months back, there was no response from the respondents.

3. Learned counsel for the petitioner submits that the petitioner gave his consent through letter dated 12.06.2018 to handover the possession of the subject property to the respondents and he is ready to receive the compensation in the form of TDR.

4. Learned Standing Counsel for the respondents, on instructions, submits that the authorities of the respondents are unable to identify the property of the petitioner and if the petitioner is able to establish that his property is being affected in the process of road widening, the respondents have no objection to pay the compensation either by way of cash or TDR as was done with respect to the other land-loosers. He further submits that the petitioner can approach the 2nd respondent on 25.04.2019 as the 2nd respondent is busy with the ensuing elections.

5. Having regard to the respective submissions and since the identification of the subject property is involved, the petitioner shall approach the 2nd respondent on 25.04.2019 at 10.30 AM, on which date, the 2nd respondent shall attend the grievance of the petitioner, and if the petitioner is able to identify his property, the 2nd respondent may depute the competent person to accompany the petitioner for the purpose of identification and that if the subject land is affected in road widening and if the petitioner satisfies his right and title with respect to the said property, the respondents shall consider the case of the petitioner for payment of compensation by way of TDR.

6. With above directions, the Writ Petition is disposed of. No order as to costs.

7. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

27th March, 2018

Note:
Issue CC in one week.

sj

