

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.13396 OF 2019

Date: 24.10.2019

Between:

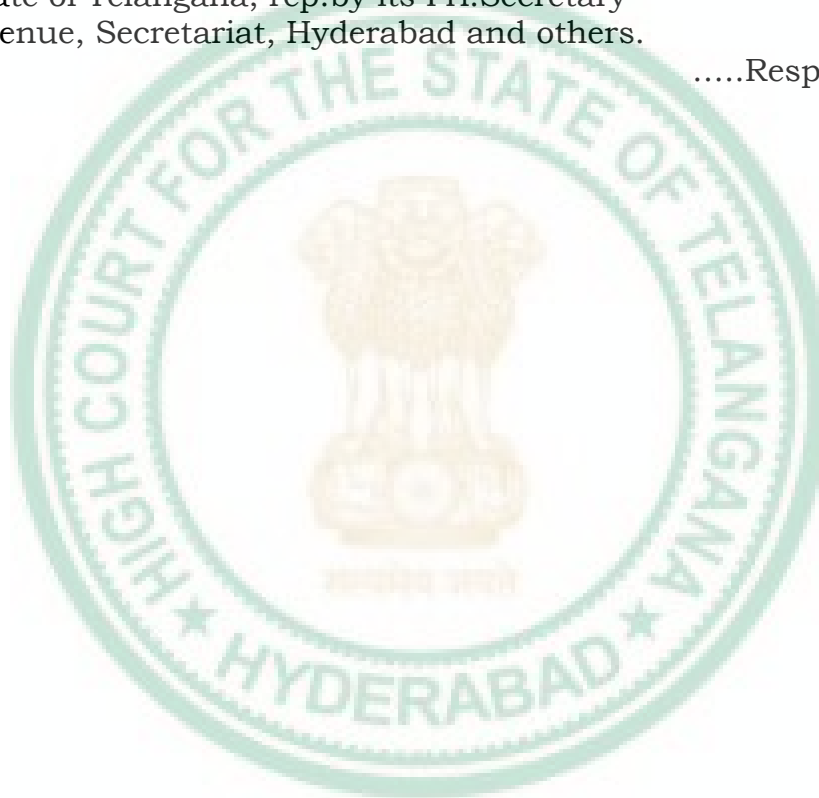
Smt Bejugam Kavita @ Laxmi W/o.Laxmaiah,
Aged about 42 yrs, Occu : Household,
R/o.H.No.3-1-7/1 Part,
Station Road, Tandur,
Vikarabad District and others.

.....Petitioners

and

The State of Telangana, rep.by its Prl.Secretary
for Revenue, Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION NO.13396 OF 2019****ORDER:**

Heard learned counsel for petitioners, learned Government Pleader for Revenue for the respondents 1, 3 & 6, learned Government Pleader for Roads & Buildings for the respondents 2 & 4, and Sri N.Praveen Kumar, learned standing counsel for respondent No.7.

2. According to the petitioners, they are the owners of the respective house properties having individual Municipal house numbers. The details of house numbers are mentioned in paragraph-3 of the affidavit filed in support of Writ Petition. Petitioners contend that the respondents are now proposing to widen the existing road from Indira Chowk to Tandur Railway Station. As the properties of the petitioners and others are coming in the way of widening exercise, the respondents are forcibly trying to evict the petitioners without following due process.

3. According to learned standing counsel, all the property owners, who are likely to be affected by the widening of the road, were called for a meeting and in the meeting, many of the property owners agreed for resolution of the issue by way of settlement, whereas few of the property owners have not agreed. Learned standing counsel does not dispute the fact that petitioners have not consented for any settlement. If that being so, without following due procedure as required under the provisions of the Land Acquisition Act, 2013, petitioners cannot be dispossessed from their properties. Thus, it is left open to respondent-

Municipality and Roads & Buildings Department, to follow due procedure as required by law and pay compensation before they dispossess the petitioners from their properties, if they are required for public purpose. However, it is always open to the petitioners as well as respondent-Municipality and R&B Department to have negotiations for settlement. Writ Petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed.

24th October, 2019
Rds

P.NAVEEN RAO,J



