

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.13811 OF 2019**

Date:09.07.2019

Between:

Thallapally Sarojana, W/o. Late Devasahayam,  
Aged 65years, R/o.H.No.2-9-1118,  
Waddepally, Hanamkonda, Warangal .. Petitioner

And

The State of Telangana, rep., by its  
Principal Secretary, Municipal  
Administration Department, Secretariat,  
Hyderabad and others .. Respondents



The Court made the following:

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO****WRIT PETITION No.13811 OF 2019****ORDER:**

Heard.

2. According to petitioner, her husband and brother of husband inherited land to an extent of Ac.0.38 guntas covered by Survey Nos.384/B, 386/E and 387/AC of Waddepally Village, Hanamkonda Mandal, Warangal Urban District. Petitioner's husband got his share to an extent of Ac.0.19 guntas. Her husband died on 25.09.2016 leaving behind herself and her children as legal heirs. It appears, there is a property dispute between the petitioner's husband and his brother. Petitioner's husband filed O.S.No.103 of 1996 in the Court of II Additional Senior Civil Judge, Warangal. But, the said suit was dismissed on 24.01.2000. Thereafter, A.S.No.1078 of 2000 was filed before this Court and the same was allowed and the matter was remanded to the trial Court for fresh adjudication. On remand, the trial Court granted decree on 21.09.2012. Aggrieved thereby, legal heirs of brother of petitioner's husband filed A.S.No.91 of 2012 in the Court of VIII Additional District Judge, Warangal, and the same is pending.

3. Petitioner now alleges that without initiating land acquisition proceedings, her land is sought to be utilized for laying C.C. Road and the same is illegal. Petitioner earlier filed W.P.No.41711 of 2018 praying to issue mandamus to declare the action of respondent No.2 therein in forming a road in the land of the petitioner in the survey numbers mentioned above, without initiating acquisition proceedings. When the matter was taken up, learned Standing Counsel for the Municipal Corporation informed

the Court that already there exists a katcha road and the Municipal Corporation is not laying any new road as contended by the petitioner. Learned counsel for the petitioner was satisfied with the said reply and requested to record the same. Accordingly, by recording the said submission, Writ Petition was disposed of by order dated 20.11.2018.

4. The respondent – Corporation issued e-procurement notification, whereunder construction of C.C. road on the subject land is also one of the items. Taking note of the said notification, this Writ Petition is filed. However, in substance, the present Writ Petition is filed on the same subject on which the earlier Writ Petition was filed and in terms of the statement recorded in the earlier Writ Petition, it appears that already there exists a katcha road. The e-procurement notification only talks about formation of C.C. road. When the Municipal Corporation is categorically asserting that they are not laying new road, the petitioner cannot file another Writ Petition merely because the Corporation issued e-procurement notification, e-procurement notification cannot give rise to a fresh cause of action on the issue already decided by this Court. If petitioner has any other grievance, she has to work out her remedies in accordance with law.

4. Accordingly, the Writ Petition is dismissed leaving it open to the petitioner to work out her remedies as available in law. Miscellaneous petitions, if any, shall stand closed.

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**P. NAVEEN RAO, J**

Date:09.07.2019

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