

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 18372 OF 2019

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader for Revenue.

The specific assertion of the petitioner is that she is the successor-in-interest and owner of the property over an extent of Ac.1.10 guntas in Survey No. 54/AA and an extent of Ac.1.09 guntas in Survey No. 56 of Patancheru Village and Mandal, Sangareddy District. In 2015, for the purpose of laying bypass, consent was sought, for acquiring the land, from the petitioner's husband, who appeared to have given consent as is evident from the proceedings, dated 04.02.2015 of the Tahsildar addressed to the Deputy Commissioner, GHMC, Circle-13, Patancheru. Though, initially, consent was appeared to have sought, no road was laid thereafter and it was only recently, hectic efforts are being made by the respondent authorities to lay the road. However, no proceedings were initiated and no negotiations were held with respect to the compensation required to be paid for the land likely to be affected in the process of forming outer ring road. In those circumstances, the petitioner prays for a writ of *mandamus* that the respondent authorities shall not interfere with her land without following due process either under Sections 145 and 146 of the Greater Hyderabad Municipal Corporation Act or the procedure prescribed under the provisions of the Right to Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013.

Having regard to the grievance of the petitioner and as is evident from the proceedings of the Tahsildar, the petitioner's

husband's name was reflected to the extent of Ac.1.09 and Ac.1.10 guntas in Survey Nos. 56 and 54/AA and that an extent of Ac.0.01 and Ac.0.08 guntas is likely to be affected in the road widening, it is made clear that without acquiring the property either by way of consent in terms of Section 146 of the GHMC Act or by initiating proceedings under the provisions of the 2013 Act and without paying compensation therefor, the property of the petitioner shall not be interfered with in any manner.

Subject to the above, the Writ Petition is disposed of. No costs.

The miscellaneous Applications, if any stand closed.

CHALLA KODANDA RAM, J

26th August 2019

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