

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18472 of 2019

ORDER:

It is the case of the petitioner that he is the joint owner of property bearing No.6-3-76 situated at Balanagar Village and Mandal, Moosapet Circle, GHMC, Hyderabad, and there is a NALA to the eastern side of his property; and that respondents 6 and 7 have made illegal constructions, bearing Municipal Nos.6-3-75/5 and 6-3-75/4, over the NALA. It is his further case that the property is under acquisition and the notification to that effect has also been issued by the authorities, and on coming to know about the same, the petitioner made a representation bringing to the notice of the Commissioner, Deputy Commissioner, Zonal Commissioner and also the Assistant City Planner on 07.08.2019 with respect to the illegal constructions made by respondents 6 and 7; and the District Collector made over the representation to the Deputy Collector and Mandal Revenue Officer, Balanagar Mandal, vide letter dated 21.05.2003 for necessary action in the matter. It is the grievance of the petitioner that respondents 6 and 7 are making a claim for compensation under the Land Acquisition Act for the illegal building constructed over the NALA, even though they are not entitled for any compensation as the constructions are illegal. It is the apprehension of the petitioner that no action has been taken to remove the illegal construction made by respondents 6 and 7 and as the land acquisition proceedings are in process, the compensation might be paid to the ineligible persons.

Heard the learned counsel for the petitioner, learned Standing Counsel for respondents 2 to 4, the learned Government Pleader for Municipal Administration and Urban Development, and the learned Government Pleader for Land Acquisition.

Learned Government Pleader submits that no Award has not been passed in the subject matter as of date, and the objections of the petitioner in his representation dated 07.08.2019 would be considered, if not already considered, in accordance with law, during the Award enquiry.

Having regard to the respective submissions, the writ petition is disposed of with a direction to the respondents 2 to 4 to consider the objections raised by the petitioner in his representation dated 07.08.2019, in accordance with law, during the Award enquiry. No costs. Miscellaneous petitions, if any pending, shall stand closed.

30th August, 2019

KSM

CHALLA KODANDA RAM, J



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