

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 20752 of 2019

ORDER:

Petitioners assert that their land to an extent of 208.76 square yards was acquired by the Greater Hyderabad Municipal Corporation, whereas compensation was paid only to an extent of 194.72 square yards. They further assert that though they submitted representations, dated 21.07.2016, 03.01.2018 and 21.02.2019, no action has been taken thereon so far. Hence, they filed this writ petition seeking a direction to the respondent authorities to pay the compensation to the balance extent of 13.95 square yards of land.

Learned Standing Counsel for respondent Nos.2 and 3 submits that even as per the petitioner, acquisition was made in 2016, but they approached this Court after three years, hence, the writ petition is liable to be dismissed on the ground of inordinate delay and laches. He further submits that there was no chance for the Corporation to pay less compensation and the question as to whether the actual extent acquired is 194.72 square yards or 208.67 is a question of fact, which the Corporation cannot decide.

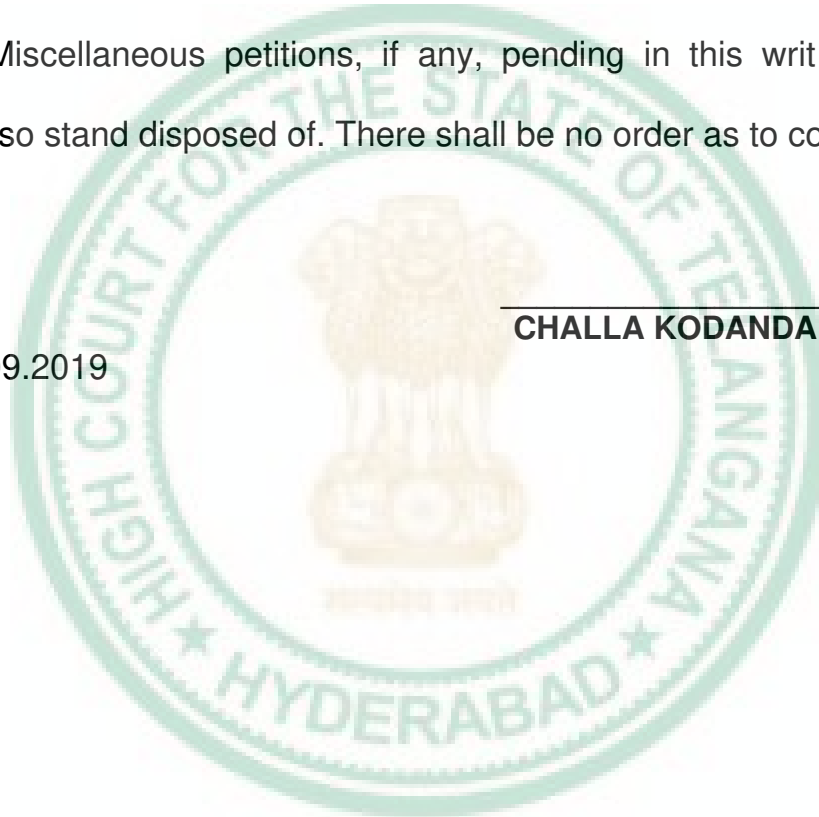
As the petitioners have right to just compensation under Article 300-A of the Constitution of India and as they made representation on 21.07.2016 followed by the one dated 03.01.2018 and 21.02.2019, it cannot be said that they have approached the Court belatedly.

In those circumstances, the writ petition is disposed of with the direction to respondent No.2-Commissioner, Greater Hyderabad Municipal Corporation to consider the representations of the petitioners after verification of the records and the material that may be produced by them, if any, take a decision thereon and communicate the same to them. This entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this writ petition shall also stand disposed of. There shall be no order as to costs.

Dt:24.09.2019
kdl

CHALLA KODANDA RAM, J



The limited grievance of the petitioner in this writ petition is that respondent No.2-Narsampet Municipality is not considering the representation dated 18.09.2017 submitted by it complaining the unauthorised constructions made by respondent No.3.

Learned Standing Counsel for respondent No.2 seeks time to get instructions in the matter.

Considering the nature of grievance of the petitioner and in view of the directions issued by the Division Bench of this Court *vide* order dated 27.10.2006 in W.P.No.20000 of 2006 that such representations shall be dealt with by the Municipal Corporations and the Municipalities within a period of 15 days from the date of receipt thereof or of notice sent by any person with the complaint regarding illegal/unauthorised construction, and written response invariably be given to such person, the writ petition is disposed of with the direction to respondent No.2 to take action on the representation of the petitioner within 15 days from the date of receipt of a copy of this order.

Miscellaneous applications, if any pending, in the Writ Petition shall also stand disposed of. No costs.

