

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.23004 OF 2019

Date: 23.10.2019

Between:

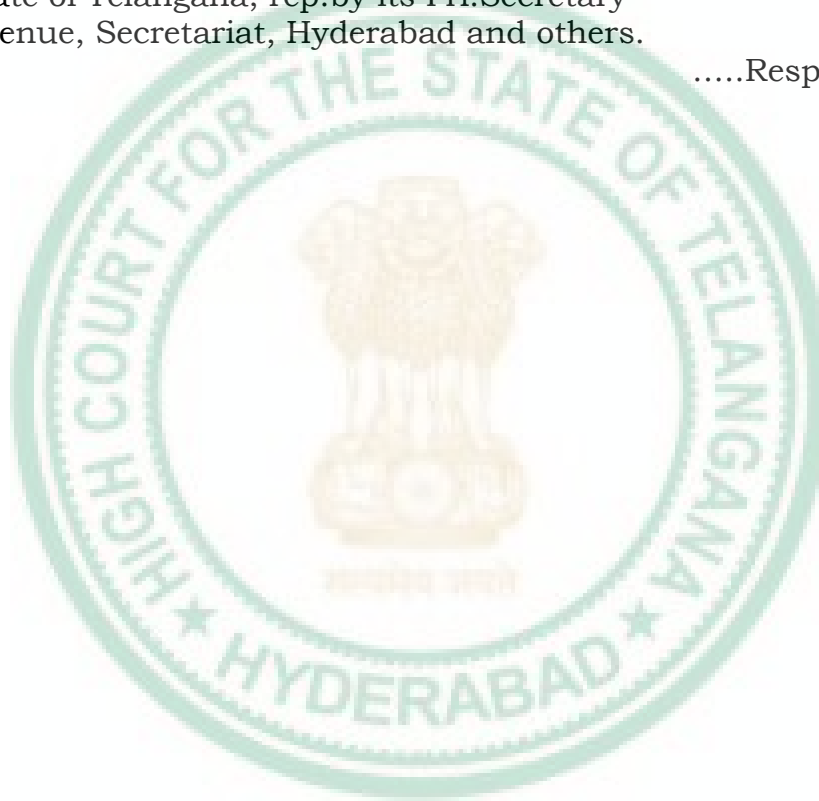
Syed Akthar Hussain, s/o. Syed Hassan,
Aged about 48 years, occu: Business,
r/o. 2-1-51/2, Bhavani nagar, Near
Urdu Bhavan, Saipur, Tandur,
Vikarabad district and others.

.....Petitioners

and

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

.....Respondents



The Court made the following:

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ORDER:

Heard learned counsel for petitioner, learned Government Pleader for Revenue for the respondents 1, 4, 6 & 7, learned Government Pleader for Municipal Administration for the respondent No.2, learned Government Pleader for Roads & Buildings for the respondents 3 & 5, and Sri N.Praveen Kumar, learned standing counsel for respondent No.8.

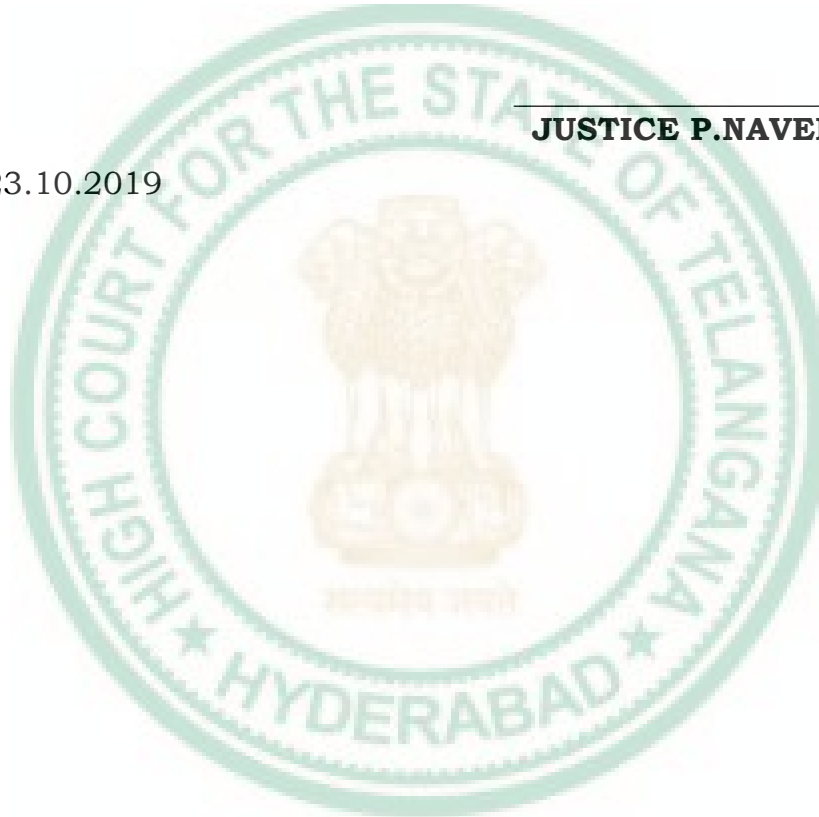
2. According to the petitioners, they are the owners of the respective house properties having individual Municipal house numbers. The details of house numbers are mentioned in paragraph-3 of the affidavit filed in support of Writ Petition. Petitioners contend that the respondents are now proposing to widen the existing road from Indira Chowk to Tandur Railway Station to 80 feet. 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, leaving it 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.

JUSTICE P.NAVEEN RAO

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