

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 23460 of 2019

ORDER:

This Writ Petition is filed for the following relief:

“....to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the Respondents in interfering with peaceful possession and enjoyment of property of Petitioner bearing No. 2-40/1/4/2 on plot No. 147 totally admeasuring 411.25 sq. yards situated at Kothaguda Village, Serilingampally Mandal, Ranga Reddy District without following procedure as being arbitrary, illegal violative of Articles 14, 21 and 300-A of the Constitution of India and contrary to the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, consequently direct Respondents not to interfere with the above said property of the petitioner except in accordance with law....”

When the matter is taken up, it is submitted by the learned counsel for the petitioner that the issue raised in the present Writ Petition is squarely covered by the order dated 13.09.2019 passed by this Court in Writ Petition No. 19687 of 2019.

Learned Standing Counsel for Greater Hyderabad Municipal Corporation appearing for respondent Nos.2 and 3 does not dispute the aforesaid submission.

Relevant portion of the aforesaid order reads as under:

“In those circumstances, the writ petition is disposed of with the direction to the respondent authorities not to interfere with the peaceful possession and enjoyment of the petitioners over the property in question, without following the procedure prescribed under Section 146 of the Act and without complying

with Section 38 of Act 30 of 2013. It is made clear that entitlement of the compensation is subject to the right and title of the petitioners over the subject plots.”

In those circumstances, following the above said order and for the reasons recorded therein, this Writ Petition is also disposed of in terms thereof.

Miscellaneous Petitions, if any pending, shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:28.10.2019
kdl

