

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 23897 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 marking our properties with an intention to demolish or dispossess the petitioners under the grab of road widening without any notice from their respective buildings bearing H.Nos.6-1-33/6, 7-5-119 to 212, 3-1-8, 3-1-44, 3-2-10 to 12 (part) (open plot) (demolished house), 7-6-54 (open plot) (demolished old police station building) and 3-1-45 respectively belonging to the writ petitions, facing station road from Indira Chows to Tandur Railway Station at Tandur, Vikarabad Distrust as arbitrary, illegal and without due process of law and consequently pleased to direct the respondent not to cause interference and enjoyment of the petitioners in their respective properties...”

When the matter is taken up, it is submitted by the learned counsel for the petitioners as well as learned Standing Counsel for respondent No.8 that the issue raised in the present Writ Petition is squarely covered by the order 23.10.2019 passed by this Court in W.P.No.23004 of 2019.

Relevant portion of the aforesaid order reads as under:

“....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. The writ petition is accordingly disposed of.”

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.

KDL

CHALLA KODANDA RAM, J

