

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

W.P. No.26657 of 2019

ORDER:

This writ petition is filed questioning inaction on the part of the respondents in granting permission for construction of residential building in Plot bearing Nos.6, 7 and 8 admeasuring 300 sq.yds., each in Sy.Nos.369, 375, 377 and part of 367, 368 and Plot bearing No.9 admeasuring 338.7 sq.yds., Plot No.10 admeasuring 341 sq.yds in Sy.Nos.369, 375, 377 and part of 367, 368 to an extent of 1376.7 sq.yds., after affected area of 203 sq.yds., under land acquisition out of 1579.7 sq.yds., situated at Nallagandla village, GHMC Serilingampally Municipal Circle, Ranga Reddy District, Telangana State and consequently to direct the respondents to consider the application made by the petitioner and grant permission for construction of residential building in petitioners' plots.

The claim of the petitioners is that they are the absolute owners and possessors of the subject land. On 29.12.2018 HUDA issued public notice with regard to acquiring of the land for the purpose of widening of road to an extent of 100 feet and in that notification the land of the petitioners is also going to be affected. Raising objections, immediately they made a representation on 19.02.2019 to the RDO but the RDO, being the Land Acquisition Officer, issued Land Acquisition Proceedings dated 20.08.2019 and the award has been

passed. Disputing the said award, the petitioners stated to have made another representation dated 03.10.2019 to the Land Acquisition Officer stating that the Land Acquisition Officer did not follow the procedure as per the Land Acquisition Act. It is submitted that though they intend to construct a residential building in their plots to an extent of 1376.7 sq.yds., leaving the affected area of 203 sq.yds., out of total 1579.7 sq.yds., the authorities are not granting permission. Hence, they filed the present writ petition.

The main grievance of the petitioners is that though they intend to make construction on their land, leaving the affected area, the respondent authorities are not granting the required permission.

The learned standing counsel for the GHMC submitted that it is for the petitioners to apply the same through the online for which, the learned counsel for the petitioners submitted that the same is not accepting.

Having regard to the facts and circumstances of the case and the submissions of the learned counsel on either side, this writ petition is disposed of directing the petitioners to approach the concerned Deputy Commissioner, Serilingampally Municipal Circle, Ranga Reddy District, GHMC., along with the required applications, and on such applications, the concerned Deputy Commissioner shall entrust the job of uploading it on the online through the

concerned technical supporters, provided, the same is in accordance with the procedure. In the event of any lacunae, GHMC officials shall communicate the same in writing to the writ petitioners.

Accordingly, this writ petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications, if any pending, shall stand closed.

Date: 10.12.2019
LSK

JUSTICE T.AMARNATH GOUD

