

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41530 OF 2018

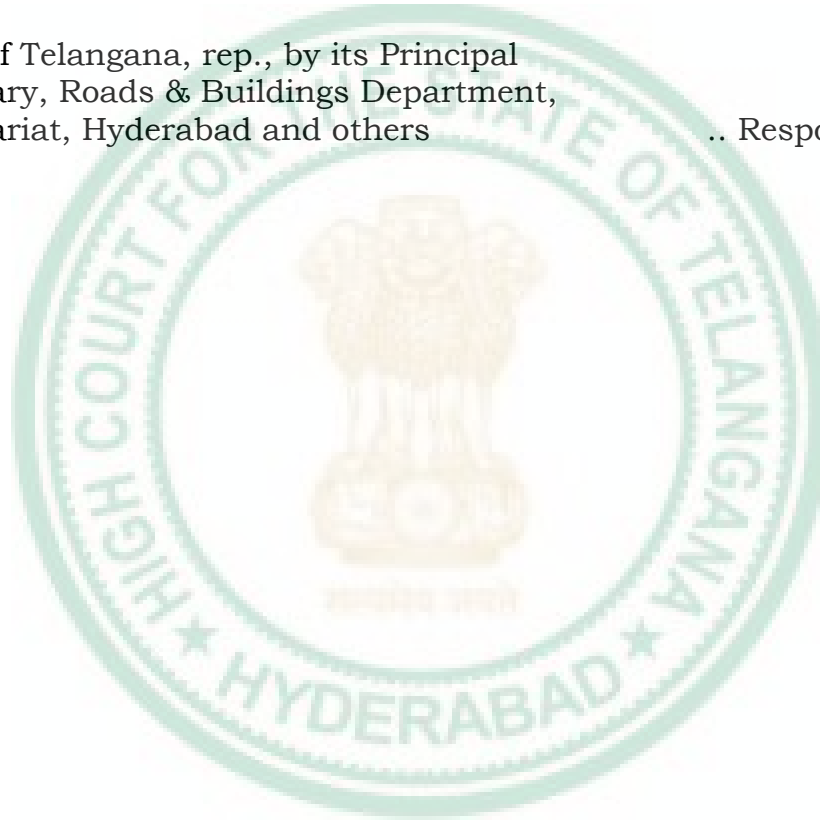
Dated:13.06.2019

Between:

Kambhampati Siva Shankar @ Shankar,
S/o. Venkateswara Rao, aged about 37 years,
Occ: Private Employee and Agricultural,
R/o.H.No.7-57, Palvancha Road, Dammapeta
Village and Mandal, Bhadradi Kothagudem
District, now residing in Plot No.305, Sai Perimala
Nivas, Kakataya Hills, Pragathi Nagar, Hyderabad .. Petitioner

And

State of Telangana, rep., by its Principal
Secretary, Roads & Buildings Department,
Secretariat, Hyderabad and others .. Respondents



This Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Roads and Buildings appearing for respondents 1 to 4.

2. Petitioner claims to be the absolute owner of agricultural lands to an extent of Acs.2.08 guntas in Survey No.1195/AA/2, Acs.2.12 guntas in Survey No.1196 and Ac.0.35 guntas in Survey No.1458 Ku of Dammapeta Revenue Village and Mandal, Bhadradri Kothagudem District. He claims that the respondents are trying to lay road in his patta lands, which is illegal, and they cannot deprive the right to enjoy his property without following due process of law and without paying compensation.

3. In the counter affidavit deposed by Sri G. Rajeshwar Reddy, the Executive Engineer, Roads and Buildings, Special Division, Kothagudem, Bhadradri Kothagudem District, states that requisition to the District Collector, Bhadradri Kothagudem, for acquiring the private patta land to an extent of Ac.0.25 guntas in Survey Nos.1195, 1196 and 1458 belonging to petitioner for improvement of existing earthen road to BT surface was made on 14.03.2019.

4. The same would clearly show that as of now the respondents have not utilized the subject land and if they require the subject land, they would acquire the same after paying the necessary compensation to the land loser.

5. Having regard to the same, the Writ Petition is disposed of directing the respondents to follow due process of law and pay compensation to the petitioner before taking possession of his private land for public purpose. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:13.06.2019

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