

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 336 of 2020

Date : 10.1.2020

Between:

Masabathini Ajay Kumar S/o Late Satyanarayana
Aged about 49 years H No 61 108/12 Moodukotla Centre
Kankarabod Mahabubabad Town Dist506101

Petitioner

And

State of Telangana
Rep by Principal Secretary Roads and Buildings Department
Secretariat Hyderabad 500022 & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader and learned standing counsel for 3rd respondent municipality.

2. According to learned counsel for petitioner, municipal corporation intend to widen the existing road from 33 feet to 100 feet and directed the petitioner to hand over his land abutting the road to an extent of 30 feet width and 21 feet length. Petitioner alleges that no such direction can be issued to surrender private land without following due process and placed reliance on the earlier orders of this Court concerning Mahabubabad town in W P No. 18273 of 2019.

3. In the said writ petition also similar grievance was expressed by the petitioner therein. On instructions, learned standing counsel for Municipal Corporation stated that Municipal Corporation has identified large extent of land for widening of road and respondents are taking steps to follow due process. Petitioner will not be dispossessed without following due process. Same principle would apply in all cases wherever private property is required for public purposes. No person can be dispossessed from his property without following due process even if such property is required for public purpose.

4. Therefore, if respondents require the land of the petitioner, which he claims to be a private property, respondents shall follow due process before taking steps to dispossess the petitioner from the subject land. Accordingly, writ petition is disposed of. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

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TVK

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