

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.1825 OF 2020

ORDER:

Heard the learned counsel appearing for the petitioner as well as the learned standing counsel appearing for the first respondent Corporation.

2. The prayer sought in the writ petition is as under:

'For the reasons disclosed in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of Respondents in seeking to lay/widen the road by entering into the property of petitioner in land bearing Sy No.169 admeasuring Ac.0.10 gts or 1210 sq yds situated at Chandanagar Village, Serilingampally Mandal, Ranga Reddy District (under the limits of GHMC), as otherwise than in due process of law, as illegal, arbitrary, without jurisdiction and violative of Art.300 A of Constitution of India; Award costs and pass such other or further orders as are deemed fit and proper in the circumstances of the case.'

3. Learned standing counsel appearing for the first respondent Corporation placed on record the written instructions dated 29.01.2020 issued by the Assistant City Planner, Circle 21, Chandanagar.

4. From the perusal of the said written instructions, it is revealed that the subject property in the writ petition is getting affected under the proposed 150 wide road from Chandanagar Main Road to Ameenpur. The Corporation has not initiated any road laying work in the plot of the petitioner till the date of issuance of the written instructions. However, it is mentioned that after issuing the notices and with due consent of the

petitioner, the road widening work will be taken up by the first respondent Corporation.

5. In view of the said specific instructions, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be closed.

6. Accordingly, the writ petition is closed. Pending miscellaneous petitions, if any, shall stand closed. No order as to

7. However, there is a direction to the first respondent Corporation not to take any coercive steps including acquisition of the property for road widening without initiating any proceedings as per law.

Date: 03.02.2020

PGS

JUSTICE P.KESHAVA RAO

