

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.5731 of 2020

ORDER:

Heard learned counsel for the petitioner, and Sri Sampath Prabhakar, learned Standing Counsel for the respondent Corporation.

The petitioner is a tenant on month-to-month basis. While the petitioner asserts that he has an understanding with the original owner, it is the case of the respondent Corporation that, as a matter of fact, the property has already been acquired and compensation also has been paid by the Municipal Corporation at negotiated price in terms of Section 146 of the Greater Hyderabad Municipal Corporation Act; and the original owner has already surrendered his right over the property. Further, it is the stand of the respondent Corporation that, as a matter of fact, the petitioner never had any tenancy rights as the original tenant had vacated the premises and had handed over to third parties and they in turn handed over to third parties, and in turn the petitioner acquired the rights. It is the submission of the learned Standing Counsel that Strategic Road Development Project (SRDP) work is getting stalled on account of few obstructions, and necessary action is being taken with respect to the obstructions which are coming in the way, including that of the petitioner.

Having regard to the respective submissions, there being no dispute that compensation has been paid in respect of the subject property, whether the petitioner is entitled to any part of the compensation is a matter which the petitioner requires to settle with the owner of the property. Inasmuch as the property vests with the Municipal Corporation, and the same is required for public purpose, this Court is not inclined to interfere with the same. However, as the petitioner has to clear off his belongings lying in the property and move out,

the petitioner is given ten (10) days time from the date of receipt of a copy of this order to clear off the property and handover vacant possession of the property to the Municipal authorities.

Subject to the above, the writ petition is disposed of. No costs.
Miscellaneous petitions, if any pending, shall stand closed.

CHALLA KODANDA RAM, J

16th March, 2020
KSM



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