

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**THURSDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 24197 OF 2023

Between:

ThumulaNambaRao, S/o.Kanderayudu, Aged about 56 years, Occ ; Agriculturist,
R/o.H.No.2-87, Rangampally Village, Peddapalli Mandal, Peddapalli District.

.....PETITIONER

AND

1. State of Telangana, Municipal Administration and Urban Development Department, Secretariat, Hyderabad, Rep. by its Principal Secretary.
2. The District Collector, Peddapalli District.
3. The Peddapalli Municipality, Rep. by its Commissioner, Peddapalli Mandal and District, Telangana State.

.....RESPONDENTS

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the respondents in forming the road in the patta land belonging to the petitioner admeasuring Ac 0.12Gts in Sy.No.294/3/1 of Rangampally village, Peddapalli Mandal and District without acquiring the patta land by following the due process of law as illegal, arbitrary and consequently direct the respondents to follow the due process of law.

I.A.NO:1 OF 2023

Petition Under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents not form the road in the patta land of the petitioner

admeasuring Ac 0.12Gts in Sy.No.294/3/1 of Rangampally village, Peddapalli Mandal pending disposal of the writ petition.

Counsel for the Petitioner : SRI CHINTHALAPHANI AVANI REDDY

Counsel for the Respondent No.1 : GP FOR MCPL ADMN AND URBAN DEV

Counsel for the Respondent No.2 : GP FOR REVENUE

Counsel for the Respondent No.3 : SRI M.RAM MOHAN REDDY

The Court made the following ORDER :-

THE HON'BLE SRI JUSTICE N.V.SHRAVAN KUMAR

Writ Petition No.24197 of 2023

ORDER:

This writ petition is filed to declare the action of respondents in forming the road in the patta land belonging to the petitioner admeasuring Ac.0.12 gts., in Sy.No.294/3/1 of Rangampally Village, Peddapalli Mandal and District without acquiring the patta land by following the due process of law.

2. When the matter is taken up for hearing, Mr.M.Ram Mohan Reddy, learned standing counsel would submit that as alleged by the petitioner, they are not laying any road in the petitioner's land and if the respondent authorities initiate any action of laying road, they would follow due process of law. He would further submit that the petitioner has filed this writ petition without any cause of action.

3. Recording the submissions of learned standing counsel for respondent No.3, this writ petition is closed. It

is made clear that respondent authorities shall not initiate action on the petitioner's land without following due process of law.

As a sequel, miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

SD/- N. CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Two CCs to GP FOR MCPL ADMN AND URBAN DEV, High Court for the State of Telangana at Hyderabad. [OUT]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri Chinthalaphani Avani Reddy, Advocate [OPUC]
4. One CC to Sri M.Ram Mohan Reddy, Advocate (OPUC)
5. Two CD Copies

SA
SB

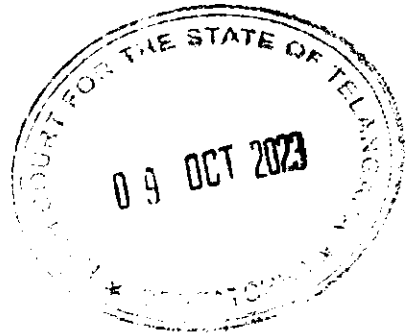


HIGH COURT

DATED:31/08/2023

ORDER

WP.No.24197 of 2023



**CLOSING THE W.P
WITHOUT COSTS.**

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MA
3/10/23