

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

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 26546 OF 2022

Between:

1. Damera Jagadamba, W/o Ramulu Aged about 50 years, Occ. Agriculture R/o H.No. 6/27/5-05, Harijanapuram Village Chintapally, Nalgonda District
2. Kurmeti Krishnamma, W/o Erra Sailu, Aged about 48 years, Occ. Agriculture, R/o Kurmaidu, Chintapally Mandal, Nalgonda District

...PETITIONER(S)

AND

1. The State of Telangana, Represented by its Principal Secretary, Panchayat Raj and Rural Development Department, BRKR Bhavan, Hyderabad
2. The District Panchayat Officer, Nalgonda District at Nalgonda
3. The Tahsildar, Chintapally Mandal, Nalgonda District
4. The Panchayat Secretary, Harijanapuram Grampanchayat, Chintapalli Mandal, Nalgonda District
5. Yedulla. Venkata Ratnam, S/o Late Ramulu, Aged 33 years, Occ. Agriculture, R/o Harijanapuram Village, Chintapalli Mandal, Nalgonda District.
6. Chennapaka Ramakrishna, S/o. Bikshamaiah, Aged about 30 years, Occ. Agriculture (ward member) R/o Harijanapuram Village, Chintapalli Mandal, Nalgonda District

...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 Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 4th Respondent in trying to lay road in the petitioners patta land in Sy.No.33/3 an extent of Ac.2- 08gts., and Sy.No.33/2 an extent of Ac.1-05gts., of Gadiya Gowraram Village (newly formed Harijanapuram Village) of Chintapalli Mandal, Nalgonda District illegally inspite of existing road since 79 years onwards is illegal, arbitrary and against the

principles of natural justice which is not sustainable in eye of law and without following due process of law.

IA NO: 1 OF 2022

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 Respondent No.4 not to lay the road in the petitioners' patta land in Sy.No.33/3 an extent of Ac.2-08gts., and Sy.No.33/2 an extent of Ac.1-05gts., of Gadiya Gowraram Village (newly formed Harijanapuram Village) of Chintapalli Mandal, Nalgonda District without following due process of law, pending disposal of the writ petition.

Counsel for the Petitioner(s): SRI PRAVEEN KUMAR VEERJALA

**Counsel for the Respondent Nos. 1 & 2: GP FOR PANCHAYAT RAJ RURAL
DEV**

Counsel for the Respondent No. 3: GP FOR REVENUE

**Counsel for the Respondent No. 4: SRI M. RAMGOPAL RAO,
SC FOR GRAM PANCHAYAT**

Counsel for the Respondent No. 5 & 6: ----

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO.26546 OF 2022

ORDER:

Heard the learned counsel for the petitioners and learned Government Pleader for Panchayat Raj and Mr. M. Ramgopal Rao, learned Standing Counsel, for the respondents.

2. This Writ Petition is filed question the action of the fourth respondent in trying to lay road through the patta land of the petitioners in an extent of Acs.2.08 gts in Survey No.33/3 and Ac.1.05 gts in Survey No.33/2 situated at Gadiya Gowraram Village (newly formed Harijanapuram Village) for Chintapalli Mandal, Nalgonda District, as illegal and arbitrary.

3. The basis for the apprehension of the petitioners is the request letter dated 19.05.2022 submitted by the Sarpanch of the fourth respondent-Gram Panchayat for laying the road through their lands and for redressal of their grievance within the limits of the Gram Panchayat, followed by letter vide Lr.No.B/392/2022 dated 02.06.2022 of the third respondent proposing to conduct survey of the land situated in Survey Nos.30, 32 and 33 of the said village. In view of the above said request letter dated 19.05.2022 and the letter of the third respondent-Tahsildar dated 02.06.2022, the petitioners felt that

the respondents are going to lay the road through the patta land of the petitioners and approached this Court.

4. Today, when the matter is taken up for hearing, Mr. M. Ramgopal Rao, learned Standing Counsel, on instructions, submitted that there is no such proposal to lay road through the patta land of the petitioners and the apprehension of the petitioners is displaced. He further submitted that in the event of the respondents intending to lay the road through the patta lands of the petitioners, the respondents would strictly follow the due process of law.

5. In the light of the said submission made by the learned Standing Counsel, this Court does not find any reason to keep this Writ Petition pending and the same is disposed of by placing the submission made by the learned Standing Counsel on record that in the event of any proposal by the respondents to lay road through the patta land of the petitioners, they shall strictly follow the due process of law.

There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

SD/-I.NAGALAKSHMI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Telangana BRKR Bhavan, Hyderabad
2. The District Panchayat Officer, Nalgonda District at Nalgonda
3. The Tahsildar, Chintapally Mandal, Nalgonda District
4. The Panchayat Secretary, Harijanapuram Grampanchayat, Chintapalli Mandal, Nalgonda District

5. One CC to SRI PRAVEEN KUMAR VEERJALA Advocate [OPUC]
6. One CC to SRI M. RAM GOPAL RAO, SC FOR GRAM PANCHAYAT [OPUC]
7. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court for the State of Telangana at Hyderabad . [OUT]
8. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad . [OUT]
9. Two CD Copies.
10. One Spare Copy.

NPJ

N. J.

HIGH COURT

DATED:27/06/2022

ORDER

WP.No.26546 of 2022



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

(13)

VW
1/7/22