

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

(SPECIAL ORIGINAL JURISDICTION)

FRIDAY THE TWENTY THIRD DAY OF JANUARY TWO THOUSAND AND
FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE: **V.V.S.RAO**

W.P. No.835 of 2004

Between:

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| 1. Indumati Pandey
2. Sanjay Kumar Pandey
3. Vinod Kumar Pandey
4. Praeen Kumar Pandey. | Petitioners |
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AND

- | | |
|---|-------------|
| 1. State of A.P., rep. by Secretary, R&B Department, Hyderabad.
2. The District Collector, Nalgonda.
3. The Executive Engineer/R&B, National Highways Division.II, Hyderabad.
4. The Executive Engineer/RWS Division.I, Panchayat Raj Department, Z.P. Building, Nalgonda.
5. The Deputy Executive Engineer, R&B, N.H.Sub Division, Narketpally, Nalgonda District. | Respondents |
|---|-------------|

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ, order or direction particularly one in the nature of writ of mandamus declaring the action of the respondents in forcibly taking away the petitioners' lands of an extent of 50 Ft width from the existing road boundary for road widening on the National Highway No.9 and laying of pipeline in the said land in Sy.Nos. 745, 746 and 747 situated at Pedakaparthi Village, Chityal Mandal, Nalgonda District as totally illegal and without jurisdiction and also violative of proviso to the article 31A(1) and Article 300-A of the Constitution of India and consequently direct the respondents not to interfere with the possession and enjoyment of the lands by the petitioners in Sy.Nos. 745, 746 and 747 situated at Pedakaparthi Village, Chityal Mandal, Nalgonda District except through due process of law.

The Petition coming on for hearing upon perusing the petition and affidavit filed herein and upon hearing the arguments of Mr. S.Lakshma Reddy, Advocate for the Petitioners and of the Asst. G.P. for Roads & Buildings, on behalf of the Respondents 1 to 3 & 5 and of G.P. for Panchayat Raj, on behalf of the Respondent No.4.

The Court made the following **ORDER**:

“ Learned Assistant Government Pleader for Roads & Buildings seeks a week's time for getting instructions/filing counter. In the meanwhile, Respondents are directed not to dig trenches or lay road on the land belonging to petitioners. Post on 30-01-2004.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Secretary, State of A.P., R&B Department, Hyderabad.

2. The District Collector, Nalgonda District.
3. The Executive Engineer/R&B, National Highways Division.II, Hyderabad.
4. The Executive Engineer/RWS Division.I, Panchayat Raj Department, Z.P. Building, Nalgonda District.
5. The Deputy Executive Engineer, R&B, N.H.Sub Division, Narketpally, Nalgonda District.
6. Two CCs to Asst. G.P. for Roads & Buildings, High Court of A.P.Hyd(OUT)
7. Two CCs to G.P. for Panchayat Raj, High Court of A.P.Hyd(OUT)
8. One CC to Mr. S.Lakshma Reddy, Advocate (OPUC)
9. One spare copy.

SAH