

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.19824 of 2008

ORDER:

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In this writ petition, petitioners, who are owners of plots in Survey No.35 of Bandlaguda Village, Uppal Mandal, Ranga Reddy District, seek a mandamus declaring the action of the respondent in blocking the link road in between their plots in Survey No.35 and Krishinagar Colony of Bandlaguda by raising a wall around the levelled old well, without issuing any notice, as arbitrary and illegal.

The petitioners claim that they have purchased residential sites in the approved layout in Survey No.35 of Bandlaguda Village. It is stated that adjoining the said layout, there is also a layout of Krishinagar Colony. It is the case of the petitioners that as per the approved layout in Survey No.35 of Bandlaguda Village, from the internal roads thereof, there was an approach road to Krishinagar Colony but the respondent is illegally constructing a compound wall blocking the approach road, as such, they seek declaration that such action on the part of the respondent is illegal.

The sole respondent - Deputy Commissioner, Circle-III, L.B.Nagar of Greater Hyderabad Municipal Corporation, has filed counter-affidavit, in which, the answering respondent categorically denied that there is a link road from the internal roads in the layout in Survey No.35 to another layout of Krishinagar of Bandlaguda. It is averred that xerox copy of the layout in respect of Krishinagar filed by the petitioners is not genuine and wrongly showing the alleged road, which in fact was shown as open land for public purpose. The

approved copy of layout is also placed on record. From a perusal of the said layout, it is clear that there is no link road from the approved layout in Survey No.35 to the layout covered by Krishinagar Colony of Bandlaguda and that in the approved layout of Krishinagar, the said piece of land is shown as open land for public purpose, in which event, it is always open for the respondent to construct a compound wall to safeguard the open land, which vests with the Corporation on approval of layout.

In that view of the matter, I do not find any merit in this writ petition for grant of relief to the petitioners.

Subject to the above observation, the writ petition is dismissed.
No order as to costs.

R.SUBHASH REDDY, J
29th OCTOBER, 2010.

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