

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11690 OF 2015

ORDER:

This petition is filed for a writ of *Mandamus* declaring that respondents 1 and 2 cannot demolish the structures of the petitioners in D.Nos.9/496-1 and 9/496-2, situated at Sreedevi Theatre Road, Dharmavaram Municipality, Anantapur District, without issuing any notice on initiating due process of law and consequently direct the respondents not to demolish the structures of the petitioners.

The case of the petitioners is that they were allotted house sites by the Mandal Revenue Officer, Dharmavaram vide proceedings dated 30.09.1995 and they also obtained a loan from Cooperative Town Bank, Dharmavaram and constructed shops thereon after urban agglomeration without an approved plan and later the said shops were regularized vide proceedings of the Commissioner dated 18.11.2013. Now, the 2nd respondent-Municipality is trying to demolish the said shops without issuing any notice, as envisaged under law. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioners, learned Government Pleader for Municipal Administration, appearing for the 1st respondent and Sri Md.Saleem, learned Standing Counsel, appearing for the 2nd respondent.

Learned Standing Counsel for the 2nd respondent-Municipality, on instructions, submits that the 2nd respondent is taking steps for the purpose of road widening and there is no actual threat for the property of the petitioners and that before taking any steps against the property of the petitioners, the 2nd respondent will follow due procedure, as envisaged under law.

Placing on record the said submissions of the learned Standing Counsel, this writ petition is disposed of directing the 2nd respondent not to demolish the property of the petitioners, without following due procedure, as envisaged under law.

With the above direction, the writ petition is disposed of. No order as to costs.
As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

23.04.2015

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