

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.5581 of 2015

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Between:

1. G.N. Suresh Babu and others

PETITIONERS

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary,
Roads & Buildings Department, A.P. Secretariat, Hyderabad and
others.

RESPONDENTS

ORDER:

This writ petition is filed challenging the action of the respondents in taking steps to demolish the structures (Houses) of the petitioners bearing Nos.8/1116, 8/1117, 8/1118, 8/1119/ 8/1120/ 8/1121 and 8/1122, 8/1123, situated in Main Bazaar, Kalyandurg, Ananthapur District, as arbitrary and illegal.

The case of the petitioners is that they are the absolute owners and possessors of the dwelling houses as well as business establishments situated in Main Bazaar, Kalyandurg, Ananthapur District, being the purchasers of the said properties under registered sale deeds. In the year 2002, when the houses of the petitioners were demolished by the authorities, they raised new constructions maintaining proper setbacks. The main grievance of the petitioners is that within a short span of time, the authorities are once again trying to demolish their houses for the purpose of road widening, without issuing any notice and without following due procedure prescribed by law, leaving the houses situated on the other side though they were marked for demolition. Hence the present writ petition.

Heard learned counsel for the petitioner, Learned Government Pleader for Roads and Buildings for respondents 1 and 5, learned Government Pleader for Revenue for respondents 2 and 4 and Sri Md. Saleem learned Standing Counsel for respondent No.3.

Sri Md. Saleem, learned Standing Counsel appearing for the 3rd respondent on instructions submits that only markings have been made by the 3rd respondent for road widening, and the 3rd respondent would follow the due procedure prescribed by law before demolishing the structures of the petitioners.

In view of the above assertion, the writ petition is disposed of

directing the respondents not to demolish the structures of the petitioners without following due procedure prescribed under law. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

A. RAJASHEKER REDDY, J.

6th March, 2015
Js.