

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF  
ANDHRA PRADESH**

**FRIDAY, THE TWENTY EIGHTH DAY OF AUGUST TWO  
THOUSAND AND FIFTEEN**

–  
**Present**

**HON'BLE SRI JUSTICE P.NAVEEN RAO**

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**WRIT PETITION No.27614 of 2015**

Between:

Sri Seerapu Madusudhana Reddy,  
S/o. Late S. Suryanarayana Reddy,  
Aged about 43 years,  
R/o.D.No.36-65-10,  
Reddi Kancharapalem Village,  
Visakhapatnam Municipal Corporation Area,  
Visakhapatnam – 530 008,  
Visakhapatnam District.

.. Petitioner

AND

The Greater Visakhapatnam Municipal Corporation,  
Rep. by its Commissioner,  
Visakhapatnam, Visakhapatnam District.

.. Respondent

**The Court made the following:**

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**HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.27614 of 2015**

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**ORDER:**

The petitioner claims to be the owner and in possession of RCC slab house bearing Municipal Door No.36-46-87 with an extent of 400 square yards in Survey Nos.37 and 37/4, situated on the northern side of GNT Road, Ward No.37, Kancharapalem Village, Visakhapatnam. The petitioner instituted this writ petition alleging that illegally, the respondent Municipal Corporation is trying to interfere and take possession of the land under the guise of widening of the road in front of the property of the petitioner. Markings are already made and the measurements were taken, but the petitioner is not put on notice. The respondent Municipal Corporation is attempting to demolish his property without following the due process of law.

2. When the matter is taken up for consideration, learned Standing Counsel, on instructions, submits that in fact, private negotiations were initiated. Out of the three brothers, two brothers have agreed to part with the land as per the negotiations entered, but the petitioner is not willing to part with the land. In that case, the respondent Municipal Corporation shall follow the due process of law, as warranted, before taking possession of the property of the petitioner for widening of the road.

3. Having regard to the categorical statement of the learned Standing Counsel, there is no subsisting grievance of the petitioner and the Writ Petition is, accordingly, disposed of, leaving it open to the respondent Municipal Corporation to acquire the property of the petitioner, if the same is needed for public purpose i.e., widening of the road in front of the property of the petitioner by following the due process of law and until the due process is followed and acquisition has become final, they shall not interfere with the possession and enjoyment of the property of the petitioner. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

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**P.NAVEEN RAO, J**

Date: 28<sup>th</sup> August, 2015

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**HON'BLE SRI JUSTICE P.NAVEEN RAO**

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