

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11445 of 2015

ORDER:

This writ petition is filed for issuance of a *Mandamus* declaring the action of the subordinates of the 2nd respondent, who are demanding to remove the petitioner's shops bearing H.No.16-30/9 situated at Vidyanagar, Ward No.20, Mandamarri, Adilabad District, to an extent of 5' under the pretext to widen the road, without issuing any notice and without following the procedure contemplated under the law, as illegal, arbitrary and violative of Articles 21 and 300-A of the Constitution of India and consequently to direct the 2nd respondent-Authorities not take any coercive steps without following due process of law.

2. The case of the petitioner is that she is the absolute owner and possessor of shops bearing H.No.16-30/9 situated at Vidyanagar, Ward No.20, Mandamarri, Adilabad District, having succeeded the same from her late husband, who in turn succeeded from his ancestors. While so, respondent No.2-Mandamarri Municipality is trying to demolish the property of the petitioner to an extent of 5' without following the due procedure. Aggrieved by the same, the present writ petition is filed.

3. Heard the learned counsel for the petitioner, learned Government Pleader for Municipal Administration, appearing for respondent No.1 and Sri N.Praveen Kumar, learned Standing Counsel appearing for respondent No.2.

4. Learned Standing Counsel for respondent No.2, submits that respondent No.2 will follow the due procedure, as envisaged under law before affecting demolition of property of the petitioner.

5. In view of the said submission made by the learned Standing Counsel for respondent No.2, this writ petition is disposed of directing the 2nd respondent not to demolish the property of the petitioner, without

following the due procedure, as envisaged under law.

6. With the above direction, this Writ Petition is disposed of. No costs. Miscellaneous petitions, pending if any, shall stand closed.

A.RAJASHEKER REDDY, J

Date: 21-04-2015

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