

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

THURSDAY, THE TWELFTH DAY OF MARCH
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP .NO:6498 of 2015

Between:

Budigina Venkat Satyavathi @ Satyavathi, W/o. Kondaiaha,

..... Petitioner

AND

- 1 State of Andhra Pradesh Rep. by its Principal Secretary to Municipal Administration & Urban Development Department, Andhra Pradesh Secretariat, Hyderabad.
- 2 The District Collector, West Godavari District, Eluru.
- 3 The Revenue Divisional Officer, Kovvur Revenue Division, Kovvur, West Godavari District.
- 4 The Commissioner, Kovvur Municipality, Kovvur, West Godavari District.

.....Respondents

Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondents 2 to 4 in marking portion of building property belonging to petitioner bearing Assessment No. 1036003145 and Door No. 3-6-29, Meraka Street (AKP Road), Kovvur Municipality, West Godavari District for demolition of the same for road widening purpose as illegal, irregular, highhanded, violative of principles of natural justice, provisions of Andhra Pradesh Municipalities Act and rules framed thereunder and The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013, violative of the Provisions of Land Encroachment Act and also offends articles 14, 21 and 300-A of the Constitution of India. Consequently direct the respondents 2 to 4 not to demolish any portion of the said building without following due process of Law.

WPMP. NO. 8635 OF 2015:

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the affidavit filed in W.P. the High Court may be pleased to direct the respondents not to demolish any portion of the building of petitioner bearing Assessment No. 1036003145 and Door No. 3-6-29, Meraka Street (AKP Road), Kovvur, Municipality, West Godavari District, pending WP No. 6498 of 2015 on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition

and the affidavit filed herein, and upon hearing the arguments of Sri K. Venumadhav, Advocate for the Petitioner and of the GP for Municipal Admn., (AP) for the Respondent No.1, and of GP for Revenue, (AP), for the Respondents No. 2 & 3, and of Sri Nimmagadda Venkateswarlu, SC for the Respondent No.4, the Court made the following.

ORDER:

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“The case of the petitioner is that the respondents are trying to demolish the petitioner’s property for the purpose of road widening, without following due process of law.

Learned Standing Counsel for the 4th respondent submits that a Committee was constituted for persuading with the petitioner to give her consent for the purpose of road widening.

In view of the above, post after one week in motion list.

Till then, status quo obtaining as on today shall be maintained.”

Sd/- P.SREENIVASULU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary to Municipal Administration & Urban Development Department, State of Andhra Pradesh, Andhra Pradesh Secretariat, Hyderabad.
2. The District Collector, West Godavari District, Eluru.
3. The Revenue Divisional Officer, Kovvur Revenue Division, Kovvur, West Godavari District.
4. The Commissioner, Kovvur Municipality, Kovvur, West Godavari District. (addressees 1 to 4 BY RPAD)
5. Two CCs to GP for Municipal Admn., (AP), High Court Buildings, Hyderabad.(OUT)
6. Two CCs to GP for Revenue, (AP), High Court Buildings, Hyderabad. (OUT)
7. One CC to Sri K.Venumadhav, Advocate (OPUC)
8. one Spare Copy

HIGH COURT

AB
DRAFTED ON 13-3-2015

ARRJ

DATE: 12-3-2015

ORDER

WP. NO. 6498 OF 2015

STATUS QUO