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THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.26706 of 2011

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02.07.2015

Between:

Smt.Kokulla Laxmi and others

...Petitioners

And

The Deputy Executive Engineer,
Buchireddypalem, Nellore and another

...Respondents

Counsel for the petitioners: Mr.P.V.Raghuram
for Mr.K.S.Gopalakrishnan

Counsel for respondents: Government Pleader for
Irrigation and Command Area Development

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The Court made the following:

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ORDER:

This writ petition is filed for the following substantive relief:

“.....to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, seeking a direction challenging the action of the respondents in seeking to demolish the petitioners shops i.e., petitioner No.1 Door No.2-78 in Sy.No.171/1 of 2nd ward, Narthurajupalem Village and Mandal, Sri Potti Sriramulu Nellore District, petitioner No.2 Door No.3/113 in Sy.No.44 and Door No.3/113 in Sy.No.43 of 3rd Ward, Narthurajupalem Village and Mandal, Kodavaluru Mandal, Sri Potti Sriramulu Nellore District and 3rd petitioner Door No.3-113 in Survey No.44 of 3rd Ward, Narthurajupalem Village and Mandal, Kodavaluru Mandal, Sri Potti Srramulu Nellore District as illegal, arbitrary, unjust and violative of Articles 14, 21 & 300-A of Constitution of India apart from being violative of principles of natural justice and consequently direct the respondents not to demolish the above said shops of the petitioners without following due process of law and pass such other relief...”

At the hearing, Mr.P.V.Raghuram, learned counsel representing Mr.K.S.Gopalakrishnan, learned counsel for the petitioners, submitted that as his clients have filed a civil suit, they intend to withdraw the writ petition with liberty to them to pursue such suit.

The Writ Petition is accordingly dismissed as withdrawn with liberty to the petitioners in terms of the prayer made.

As a sequel to dismissal of the writ petition, interim order, dated 23.09.2011 is vacated and W.P.M.P.No.32970 of 2011 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

02nd July, 2015

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