

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF APRIL

TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.8427 of 2015

BETWEEN

Pothuraju, Venkat Ratnam.

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department & Panchayat Raj, Secretariat, Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioner: MR. GADA. VENKATESWARLU

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

GP FOR PANCHAYAT RAJ

GP FOR REVENUE

The Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Roads and Buildings.

2. Petitioner claims to be owner of house bearing D.No.2-294/D situated at Pamur Village & Mandal, Prakasam District.

Petitioner states that he constructed the said house long back and there are about more than 100 houses existing on both sides of the house of the petitioner.

3. The cause of action for filing this writ petition appears to be a news item published in a Telugu daily, giving source as Roads and Buildings officials, that the buildings beside the road in Pamur village shall be demolished for making the road with 80 ft from the existing 30 ft road. This Court, by order dated 27.03.2015, directed status quo to be maintained and directed the Government Pleader to get instructions.

4. Learned Government Pleader now submits, on instructions received from the Executive Engineer, R&B Division, Kanigiri dated 06.04.2015, that the Donakonda-Kanigiri-Dornala road except town limits of Kanigiri town and Pamur village, is handed over to the National Highways Authority of India and that the available width of the road from KM.86 to 87 is not sufficient to cater the needs of the present local traffic and the national highway traffic. The instructions also maintain that the petitioner's house appears to be on R&B land and Gramakantam land. However, there is not attempt for demolition of structures at Pamur village at this juncture. The allegation of the petitioner that there is a threat of demolition of his house by the respondents is denied and it is specifically stated that the respondents never made an attempt to demolish the house of the petitioner, as alleged. It is further stated that if at all the department intends to demolish the house of

the petitioner, necessary procedure of law will be followed and then only the demolition process will start.

5. In view of the said specific instructions that there is no attempt on the part of the respondents to demolish the house of the petitioner, there is no subsisting cause of action for maintaining the writ petition.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

April 7, 2015

DSK