

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

THURSDAY, THE FOURTH DAY OF JUNE TWO THOUSAND AND FIFTEEN

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.11007 of 2015

Between:

Karri Satyavathi,
W/o. Late Padmanabha Reddy,
74 years, R/o. Door No.77-9-4,
Gandhipuram-3, Rajahmundry,
East Godavari District.

.. Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Municipal Administration & Urban Development
Department, Secretariat Buildings,
Hyderabad & another

.. Respondents

2. The petitioner claims to be in peaceful possession and enjoyment of property to an extent of 200 square yards in Survey No.267 of Gandhinagaram-3, Rajahmundry, East Godavari District, having purchased the same in the year 1975. The petitioner claims to have raised a shed with asbestos sheets and established small kirana store. The premises was allotted Municipal Door No.77-9-4 and the petitioner is paying house tax regularly. Alleging that the municipal authorities have visited the premises on 13.04.2015 and threatened to demolish the property, this writ petition is instituted.

3. The pleadings in the affidavit filed in support of the writ petition and the material papers enclosed would disclose that no proceedings were issued by the municipal authorities against the petitioner so far. The petitioner only apprehends that the property of the petitioner would be demolished without following the due process of law. Thus, it is pre-mature to go into the issue of whether the Municipal Corporation was contemplating action against the petitioner including demolition of the subject property.

4. Therefore, the Writ Petition is, accordingly, dismissed. It is needless to observe that whenever the statutory authority intend to take any action against their citizens for violation of any of the provisions of statute or the rules made thereunder, they shall follow the due process of law before taking penal consequences against the citizens and this case is no exception. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 4th June, 2015

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