

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.6975 of 2015

Date: 18-03-2015

Between:

Yoganti Sathyaveni and 7 others

.... Petitioners

AND

The State of Andhra Pradesh, represented by its

Principal Secretary to Municipal Administration

And Urban Development Authority, Hyderabad

And 3 others

.... Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.6975 of 2015

ORDER:

This writ petition is filed for a writ of *Mandamus* declaring the action of the respondents 2 to 4 in marking portion of our building properties connected to main road bearing Door Nos.6-9-8 (Assessment No.407), Dr.No.3-6-5 (Assessment No.1076003258), Dr.No.6-4-11 (Assessment No. 107600600), Dr.No.6-4-11/1 (Assessment No.1076000601), Dr.No.5-15-16 (Assessment No.1076002902)Dr.No.5- 15-7/1 (Assessment No.1076007058), Dr.No.3-6-10

(Assessment No.1076003252) Door No.5-15-10 (Assessment No.1076002909) of Meraka Street (AKP road), Kovvur Municipality, West Godavari District, for demolition for the purpose of widening road repeatedly without following due process of law, i.e., without acquiring our properties under the Provisions of The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013, under the Provisions of A.P. Municipality Act, 1964 and Land Encroachment Act, 1905 and Consequently, direct the respondents 2 to 4 not to demolish any portion of the building structures of the petitioner's properties without following due process of Law.

2. The main grievance of the petitioners is that the officials of the 4th respondent Municipality are making efforts for demolition of their properties for the purpose of road widening programme without following due process of law, for which certain markings were made on the properties of the petitioners. Aggrieved by the same, the present writ petition is filed.

3. When the matter is taken up for hearing, Sri N. Venkateswarlu, learned standing counsel for the 4th respondent Municipality, stated on instructions that as of now, there is no proposal for effecting demolition of the properties of the petitioners and it is only to ascertain to what extent of land is required for widening purpose and for assessment of compensation in case of acquisition of lands of private persons, for which a survey was conducted and markings were made, but not otherwise. However, the 4th respondent Municipality is not making any efforts for demolition of the properties of the petitioners unless through due process of law is followed.

4. Recording the statement made by the learned standing counsel for the 4th respondent that the 4th respondent Municipality will not acquire the lands of the petitioners without due process of law, the writ petition is disposed of accordingly. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A. RAJASHEKER REDDY, J

Date: 18-03-2015

Ksn