

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.32252 of 2015

DATED : 12.10.2015

Between :

Panabaka Gangaraju S/o.Veeraswamy,
Aged about 34 yrs, Occu : Advocate,
R/o.Old Bus station, Railway Station, Naidupet,
Naidupet Mandal, SPSR Nellore District.

.. Petitioner

and

State of Andhra Pradesh, rep., by its Principal Secretary to
Municipal Administration and Urban Development Department,
Secretariat, Saifabad, Hyderabad & 2 others.

.. Respondents

This court made the following :

THE HON’BLE SRI JUSTICE P.NAVEEN RAO

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ORDER :

The petitioner claims to be the owner of house property to an extent of 72 Square yards in Ward No.3, GNT Road, Naidupet. The petitioner submits that the respondent Municipality as well as the National Highway Authority of India are trying to take possession of the property of the petitioner for widening of the national highway, without following the due process. On 21.09.2015 the authorities of respondents 2 and 3 visited the petitioner's site and took measurements and the petitioner's objection was over ruled and therefore, the petitioner apprehends that without following due process his property would be taken over and filed this writ petition.

2. Learned Standing counsel for the National Highway Authority of India, on instructions submits that the National Highway Authority of India is no way concerned with the allegations made and the road is not maintained by the 3rd respondent and therefore, the allegation is falsely made.

3. Learned Standing counsel for the Municipality, on instructions submits that Municipality would follow due process, if the land of the petitioner is required for widening of the road or for development of the road.

4. Having regard to the said submission, the writ petition is disposed of holding that if the petitioner is the owner of the property and the Municipality is in need of such property for public purpose, the Municipality shall follow due process of law before taking possession and utilizing the property claimed to be belonging to the petitioner. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

12th October, 2015.

Note : Issue c.c. in two (2) days.

B/o.

Rds

