

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 22727 of 2016

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Sri Nimmagadda Venkateswarlu, learned Standing Counsel for respondent No.2.

The present writ petition is filed with the following prayer:

“For the reasons stated in the accompanying affidavit, the petitioner prays that this Hon’ble Court may be pleased to issue an order, writ or direction more particularly one in the nature of writ of Mandamus declaring the action of the second respondent in seeking to dispossess the petitioner for the purpose of laying the road across the vacant site of the petitioner situated to an extent of 58.5 square yards situated in R.S.No.455/1A of Suryanagar, Amalapuram Town, East Godavari District, without initiating the proceedings under Land Acquisition Act and following the procedure as contemplated under Section 42 of the A.P.Municipalities Act, 1965 as wholly illegal, arbitrary and violative of Articles 14, 21 and 300A of the Constitution of India and consequently direct the second respondent to follow due process of law in the interest of justice and to pass such other order or orders as this Hon’ble Court may deem fit and proper under the circumstances of the case.”

At the time when the matter is taken up for hearing, learned Standing Counsel for respondent No.2, on instructions, submits that there is no proposal for laying the road or widening the road.

Recording the said statement, the writ petition is disposed of directing the authorities to follow due process of law, if they

intend to take any steps either with regard to laying of the road or widening the road.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

**JUSTICE C. PRAVEEN
KUMAR**

13.07.2016
vhb