

THE HONB'E SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.36938 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents in trying to demolish the petitioner's premises bearing No.13-69-a, situated at Gandhi Bazar, Main Bazar, Amarapuram Road, Revenue Ward No.13, Amarapuram Road, Madakasira Town and Mandal, Ananthapur District, without following due procedure of law under the Right to Fair Compensation and Transparency in Land Acquisition, Resettlement and Rehabilitation Act 30 of 2013 (for short, "the Act").

It is the case of the petitioner that he is the absolute owner and possessor of the above said property as the same was purchased from one Smt. Lakshmi Narasamma, w/o. M.M.C. Bhaskara Rayudu vide document No.1539 of 2014, dated 25.09.2014. While things stood thus, all of a sudden on 20.10.2016, respondents 3 and 4 came to my premises and started marking the same with an intention to widen the road even without issuing any notice as per the provisions of the Act.

Learned counsel for the petitioner submits that the respondents-authorities are making hectic efforts to lay the road in the property of the petitioner even without following the due process of law.

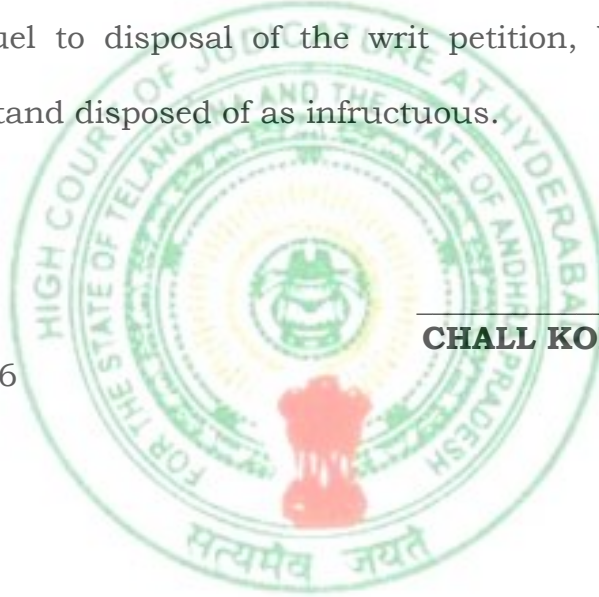
Learned Government Pleader for Road and Buildings submits that the allegations made by the petitioner are false. If really the land of the petitioner is required, the respondents-authorities would follow the due process of law and appropriate steps would be taken in accordance with law.

In the light of the submissions made by the respective counsel and in view of the admitted facts of the case that the petitioner is in possession and enjoyment of his property, his possession shall not be interfered with by the respondents-authorities without following the due process of law as enjoined whether under the Land Acquisition, Rehabilitation and Resettlement Act, 2013 or in any other law.

Accordingly, the writ petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the petitioner except following the due process of law. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand disposed of as infructuous.

Date: 28.10.2016
ES.



CHALL KODANDA RAM, J