

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.18206 of 2016

ORDER:

This writ petition is filed seeking issuance of *Mandamus* declaring the action of respondent Nos.2 and 3 in interfering with the petitioner's peaceful possession and enjoyment and trying to encroach upon his open land to an extent of Acs.0.49 cents in Sy.No.74/2 of Bakkannapalem village of Visakhapatnam Rural Mandal, Visakhapatnam District, without notice and without due process of law, as illegal, arbitrary and violative of the principles of natural justice and consequently sought a direction to the respondents not to interfere with the petitioner's peaceful possession and enjoyment over the subject land.

Heard learned counsel for the petitioner as well as the learned Government Pleader for Municipal Administration and Urban Development Department, and also Sri S. Lakshminarayana, learned Standing Counsel for the respondent – Corporation.

When the matter is taken up for hearing, Sri S. Lakshminarayana, learned Standing Counsel for the respondent – Corporation, submits that though the petitioner's land is sought to be acquired for the purpose of laying road, till date no road is laid and if the said land is required for laying of any road or for any other purpose,

certainly, the respondent – Corporation will follow due process of law.

In view of the above, this writ petition is disposed of directing the respondents to follow due process of law, if the subject land is to be acquired for laying of any road or for any other purpose. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

10.06.2016.

Msr

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