

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.44867 OF 2016

Dated:21.12.2016

Between:

Atchi Appala Reddy, S/o. Late Rami
Reddy, Aged 47 years, R/o.D.No.5-17-20,
Maddilapalem Village, Visakhapatnam,
Visakhapatnam District and others .. Petitioners

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Municipal Administration
And Urban Development Department,
Secretariat, Velagapudi, Guntur and others .. Respondents



The Court made the following:

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ORDER:

Heard. With the consent of learned counsel for the parties, the Writ Petition is being disposed of at the stage of admission.

2. The petitioners are the owners and possessors of different extents of land in various survey numbers situated at Maddilapalem, Visakhapatnam Mandal and District. They apprehend that without following due procedure as required under law to acquire the private properties for public purpose, the respondent – Corporation is taking steps for demolition of their properties in the process of widening of road, which is illegal.

3. Learned Standing Counsel for the respondent – Corporation, on instructions, submits that in fact the petitioners have volunteered to hand over **their** properties on settlement of the appropriate compensation **payable** to them or on giving TDR Certificates in lieu of voluntary surrender of properties affected by road widening and the matter is at the stage of processing of documents regarding the ownership. He further submits that if the petitioners are not willing for such settlement, the respondent – Corporation would follow due procedure as required in law before acquiring the private property for public purpose.

4. In view of the said submission, the Writ Petition is disposed of directing the respondent – Corporation to follow the due procedure, while acquiring the private property for public

purpose. However, it is open to the petitioners to agree for settlement on payment of agreed amount of compensation payable to them or for furnishing TDR Certificates in lieu of voluntary surrender of the properties affected by road widening. Till a due process is complied by the respondent – Corporation or petitioners voluntarily offer their properties, the petitioners shall not be disturbed from their properties. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:21.12.2016

KH

P. NAVEEN RAO, J

