

HON'BLE SRI JUSTICE M. SATYANARAYANA
MURTHY

W.P. No. 15994 of 2016

DATE: 05.05.2016

Between:

M. Muralidhar Setty
and another
Petitioners

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And

The State of Andhra Pradesh and another Respondents

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ORDER:-

This writ petition is filed to declare that the action of the respondents in attempting to demolish the petitioners premises bearing H.Nos. 95/2-1, 95/2-1-1 and 95/21-2 along with adjacent lands to an extent of Ac.0.49 cents in Sy.No.178/B, Ac.0.85 cents in Sy.No.180/1, an extent of Ac.2.78 cents in Sy.No. 180/2, Ac.0.50 cents in Sy.No. 189/A, Ac.0.98 cents in Sy.No. 223 and an extent of Ac.0.62 cents in Sy.No. 226 and the 2nd petitioner's lands to an extent of Ac.0.19 cents in Sy.No. 178/1B, Ac.0.32 cents in Sy.No. 179/A, an extent of Ac.3.24 cents in Sy.No. 180/1 and an extent of Ac.0.62 cents in Sy.No. 180/2 of Mamidalapadu village, Kurnool Mandal and District, all along their lands even without following the due procedure contemplated under law or taking recourse of acquisition or requisition proceedings for the purpose of widening the existing road that too acquiring only on one side, as illegal, arbitrary and in violation of principles of natural justice and fair play apart from being in violation of

Articles 14 and 21 of the Constitution of India and consequently direct the respondents herein not to interfere with the petitioner's peaceful possession and enjoyment over the aforesaid lands without following the due process of law.

During hearing, Sri S.D. Goud, learned Standing Counsel for Kurnool Municipal Corporation appearing for the

2nd respondent has admitted that they are not going to demolish the aforementioned premises belonging to the petitioners without following due process of law.

Hence, respondent No.2 is directed not to demolish the aforementioned premises and dispossess the petitioners from the property belonging to the petitioners without following the due process of law.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

MURTHY,J
05.05.2016

M. SATYANARAYANA

bcj