

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 17369 of 2013

Date : 8.11.2016

Between :

Tanuku Padma W/o Tanuku Nageswara Rao
R/o Garagaparru Road,
Vijayalakshmi centre, Bhimavaram-2
West Godavari district and others

Petitioners

And

Govt of A P
Rep by its Principal Secretary (R&B) Department
Secretariat, Saifabad, Hyderabad and others

Respondents

The Court made the following:



HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 17369 of 2013

ORAL ORDER:

This writ petition is filed seeking the following prayer:

“.....to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents threatening to demolish petitioners house portions bearing D.Nos 4-1-131, 4-1-107, 4-1-131, .4-1-129/1, D.No.4-1-97, 4-1-139/1, 4-1-94, .4-1-91, 4-1-129, 4-1-117, 4-1-197/2, 4-1-87/1, 5-263/A, DNo. 4-1-99, 4-1-100, 4-1-126/125, 4-1-109/108, 4-1-130, 4-1-102/103, 4-1-100, 4-1-136 in R.S.NO. 205/3, 207 of 4th Ward, Vijaya Lakshmi Centre Bhimivaram Municipality under guise of Road Widening and Strengthening of Bhimivaram- Pippara Road, inspite of Pattas granted to petitioners in different proceedings on different dates by recognizing petitioners long possession and enjoyment and without there being any encroachments as illegal, arbitrary, unjustified, violation of provisions of Land Acquisition Act, 1894, Land Encroachment Act 1905 and also in violation of Art. 14, 21, & 300-A of Constitution of India, and for a consequential direction to the respondents to not to demolish any portion of house property of the petitioners..”

2. Learned counsel for petitioners as well as learned Government Pleader for Roads and Buildings (AP) representing respondents submitted that the subject matter of this writ petition is covered by decision of this Court in W P No.19446 of 2013 dated 22.4.2016.

3. In W P No. 19446 of 2013 also petitioners therein alleged that even though were allotted plots wherein they have constructed houses, respondent authorities were taking steps to forcibly dispossess them. This Court by order dated 22.4.2016 disposed of the writ petition holding that if the respondents require the properties occupied by all the original allottees or their legal heirs, they shall be displaced only after following due process and considering their claim to provide suitable

alternative plot, if they are similarly situated to persons who were provided alternative plots.

4. Following the above order of this Court, this writ petition is disposed of and respondents are directed to follow the due process, if they require the properties occupied by all the original allottees or their legal heirs, they shall be displaced only after following due process and considering their claim to provide suitable alternative plot, if they are similarly situated to persons who were provided alternative plots. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

DATE:8.11.2016
TVK

P NAVEEN RAO,J



HONOURABLE SRI JUSTICE P. NAVEEN RAO



WRIT PETITION No. 17369 of 2013

Date : 8.11.2016