

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 19110 of 2016

ORDER :

Heard the learned counsel for the petitioners and Sri S.D.Goud, learned Standing Counsel for respondents 2 and 3. At the request of both the counsel, the Writ Petition itself is taken up for disposal at the stage of admission.

2. The present Writ Petition came to be filed with the following prayer:

“... to issue an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of respondents in proceeding with the work of widening or development of the road from ‘Railway Bridge near BSNL Office to Old Hyderabad Road (Sunkesala Road) towards Mother Theresa Circle of Kurnool town’ without issuing any notices to the petitioners and without paying any compensation and without following due process of law as illegal, contrary to law and violative of Article 300A of the Constitution of India and also violative of principles of natural justice and for a consequential direction to the respondents not to interfere with the rights of the petitioners over the above mentioned properties except by due process of law and pass ...”

3. Learned counsel for the petitioners submits that in view of the fact that the authorities are widening the road from the existing 50 feet to 100 feet from railway bridge near BSNL Office to Old Hyderabad road (Sunkesala

road) towards Mother Theresa Circle of Kurnool Town, there is every likelihood of shops of the petitioners being removed. It is his grievance that without giving any notice, the respondents are trying to demolish the shops of the petitioners or dispossess them from their respective shops. Learned Standing Counsel for the respondents 2 and 3, on instructions, submits that action will be initiated by following due procedure contemplated under law.

4. In view of the submissions made and having regard to the circumstances of the case, respondents 2 and 3 are directed to follow due process of law in demolishing the respective shops of the petitioners or in dispossessing them from their respective shops, for the purpose of widening the road from railway bridge near BSNL Office to Old Hyderabad road (Sunkesula road) towards Mother Theresa Circle of Kurnool Town.

5. The Writ Petition is disposed of with the aforesaid direction. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

16.06.2016
DRK

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