

THE HONB'E SRI JUSTICE CHALLA KONDANDA RAM

WRIT PETITION No.36776 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents in trying to demolish the petitioner's premises bearing No.2-31, situated at Saidapur, Saidapur Village and Gram Panchayat, Karimnagar District without following due procedure of law under the Right to Fair Compensation and Transparency in Land Acquisition, Resettlement and Rehabilitation Act 30 of 2013 (for short, "the Act").

It is the case of the petitioner that she is the absolute owner and possessor of the above said property as it has inherited from her ancestors. While things stood thus, all of a sudden on 25.10.2016, the officials of the respondents 3 and 4 along with the staff of 5th respondent came to the premises and started marking the same with an intention to widen the Saidapur to Mollamgur road even without issuing any notice as per the provisions of the Act.

Learned counsel for the petitioner submits that the respondents-authorities are making hectic efforts to lay the road in the property of the petitioner even without following the due process of law.

Learned Government Pleader for Road and Buildings submits that the allegations made by the petitioner are false. If really the land of the petitioner is required, the respondents-authorities would follow the due process of law and appropriate steps would be taken in accordance with law.

In the light of the submissions made by the respective counsel and in view of the admitted facts of the case that the petitioner is in possession and enjoyment of her property, her possession shall not be

interfered with by the respondents-authorities without following the due process of law as enjoined whether under the Land Acquisition, Rehabilitation and Resettlement Act, 2013 or in any other law.

Accordingly, the writ petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the petitioner except following the due process of law. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand disposed of as infructuous.

Date:28.10.2016
Gk.

CHALL KODANDA RAM,J



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