

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 17518 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Standing Counsel for Municipality.

The present Writ Petition is filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, the petitioner herein prays that the Hon’ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of respondent No.3 in laying the water pipe line in the land and house bearing No.8-20 of the petitioner in Survey No.412 of Throvagunta Village, presently under the jurisdiction of Ongole Municipality, Prakasam District, without following due process of law as illegal, arbitrary and violative of Article 300-A of the Constitution of India and consequently direct respondent No.3 to follow due process of law by paying compensation to the petitioner by legally acquiring the land and house bearing No.8-20 of the petitioner in Survey No.412 of Throvagunta Village, presently under the jurisdiction of ONgole Municipality, Prakasam District and to grant such other relief or reliefs as this Hon’ble Court deems fit and proper in circumstances of the case.’

Though various grounds are raised, learned counsel for the petitioner restricts his prayer seeking a direction to the respondents to follow due process of law while laying the water pipe line through his property.

Learned Standing Counsel for respondent No.3 submits that if any demolition/digging/acquisition is required to be made for the purpose of laying water pipe line, the same shall be done, by

following due procedure established by law.

Recording the said submission, the writ petition is disposed of directing the respondents not to lay the pipe line through the house bearing No. 8-20 in Survey No.412 of Throvagunta Village, presently under the jurisdiction of Ongole Municipality, Prakasam District, without following due process of law.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

16.06.2016,
vhb