

THE HONB'E SRI JUSTICE CHALLA KONDANDA RAM

WRIT PETITION No.35950 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents in threatening to dispossess the petitioners from their respective properties situated in Sy.No.312/5 and the houses bearing Door Nos.2-29, 2-44A, 2-65, 2-11, 2-60, 2-41, 1-213 and 2-93, Pavuluru Village, Inkollu Mandal, Prakasam District, without following the due process 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 petitioners that they are the residents of Pavuluru Village, Inkollu Mandal, Prakasam District and they are doing cultivation in the village. While things stood thus, on 21.10.2016, the officials of the respondents came to their village and made markings in the respective properties of the petitioners stating that they would demolish the houses for the purposes of widening the existing road and also for laying C.C road even without issuing any prior notices to the petitioners. Hence, the present writ petition.

Learned counsel for the petitioners submits that the respondents-authorities are making hectic efforts to dispossess the petitioners from the premises in question even without following the due process of law.

Learned Government Pleader for Roads and Buildings submits that the allegations made by the petitioners are false. If really the petitioners are to be evicted, the respondents-authorities would follow the due process of law and appropriate steps would be taken in accordance with law.

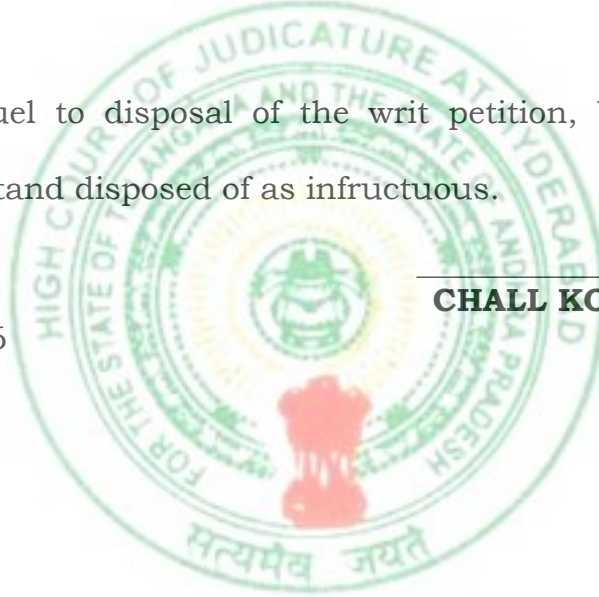
In the light of the submissions made by the respective counsel and in view of the admitted facts of the case that the petitioners are in possession and enjoyment of their respective premises, their possessions shall not be interfered with by the respondents-authorities without following the due process 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 possessions and enjoyment of the petitioners except following the due process of law. No order as to costs.

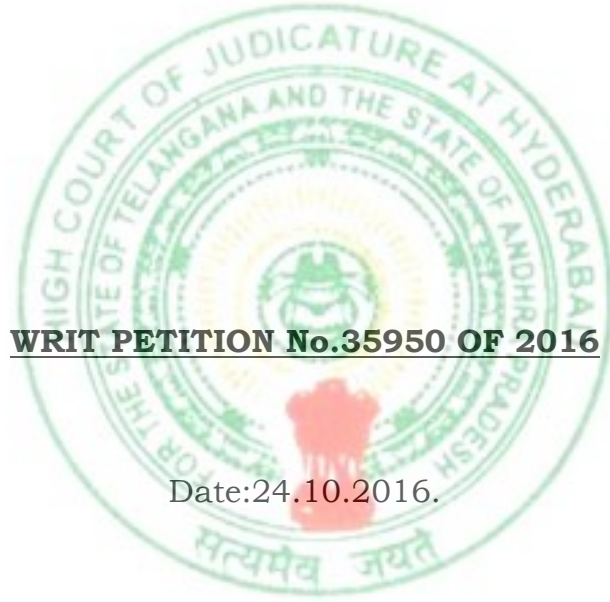
As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand disposed of as infructuous.

Date:24.10.2016
Gk.

CHALL KODANDA RAM,J



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Date:24.10.2016.