

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.32835 OF 2012

ORDER:

The petitioners complain against the threatened demolition of houses bearing Nos.9-308, 9-320/2, 9-326, 9-328/2, 9-328/1,9-320, 9-318 & 309, 9-316/A, 9-309/6, 9-316, 9-309/D, 9-436 and 9-309/5 situated at Kanigiri Town, Prakasam District, without following procedure stipulated by law.

The petitioners under threat of demolition/dispossession by the respondents filed the instant writ petition. From the averments in the writ affidavit it is evident that the petitioners expected respondents to widen the road and in the process may not issue any notice to the petitioners.

Except 4th respondent, other respondents have not filed counter.

Paragraph Nos.6 and 7 of counter affidavit of 4th respondent read thus:

"It is submitted that the existing R & B Road in Kanigiri town is causing traffic congestion and it is proposed for widening the existing R & B Road for free vehicular traffic and to avoid accidents. The respondents never threatened the petitioners to demolish their houses.

It is submitted that at the time of widening the existing Road, relief will be paid to the petitioners as per Govt. norms. The Hon'ble High Court may be pleased to direct the petitioners to demolish their houses at the time of widening of existing R & B Road and compensation to the petitioners will be paid as per the Govt. norms."

From the above, it is clear that the respondents in the event of the subject properties are required to be demolished for road-widening will pay compensation to petitioners. Hence the writ petition is disposed of and the petitioners shall not be dispossessed or existing structures demolished without following the procedure prescribed in this behalf and payment of compensation. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT, J

Date:11.08.2016

Stp