

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 21309 of 2016

ORDER :

Heard the learned counsel for the petitioner and Sri S.D.Goud, learned Standing Counsel appearing for respondent No.2. 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 a Writ order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents in trying to demolish the petitioner House Bearing No.86/356-1 situated at Plot NO.7, Doctors Colony, B.Camp, Kurnool Town, Kurnool District without issuing any notice and without following due process of law is illegal, arbitrary, contrary to the provisions of H.M.C. Act, Highhandedness, violation of Provisions of Municipalities Act, as well as violation of Article, 14, 21, 300A of the Constitution of India and against the Principles of Natural Justice and consequently direct the respondent not to demolish and interfere with the petitioner's above House and pass..”

3. It is the grievance of the petitioner that under the guise of road widening, respondent No.2 officials are trying to demolish the House bearing No.86/356-1, Plot NO.7, Doctors Colony, B.Camp, Kurnool without issuing

any notice or without following due process of law.

Learned Standing Counsel for the respondent No. 2, 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, respondent No.2 is directed to follow due process of law in demolishing the house bearing No.86/356-1, Plot NO.7, Doctors Colony, B.Camp, Kurnool of the petitioner or in dispossessing the petitioner from the said house, for the purpose of road widening.

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

30.06.2016

DRK

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