

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 14034 of 2016

ORDER:

Heard Sri E.Sambasiva Pratap, learned counsel for the petitioners, and Sri N.Venkateswarlu, learned Standing Counsel for the Tuni Municipality.

2. The prayer of the petitioners in this case is as under:

“to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring action of the 2nd, 3rd and 4th Respondents in marking for demolition of the petitioners commercial premises bearing D.Nos.6-29-663, 8-2-55, 6-15-23 and 5-33-9, situated at Market Main Road, Tuni, E.G.District for the purpose of road widening without any notice and without acquiring the properties by following procedure as contemplated under law is illegal, arbitrary and violation of Article 300-A of the Constitution of India and pass such other order or orders as this Hon'ble Court deemed fit and proper in the circumstances of the case.”

3. Both the learned counsel are in agreement that the issue arising for consideration in this writ petition is squarely covered by the decision rendered by this Court in W.P.No.36062 of 2015. A copy of the order dated 05.11.2015 passed in the said writ petition is placed on record.

4. For reasons alike as were mentioned in the afore-stated order and in terms thereof, the Writ Petition is disposed of duly taking on record the submission of Sri N.Venkateswarlu, learned Standing Counsel, that the municipal authorities would not interfere with the petitioners' possession over the properties until the land acquisition proceedings are initiated or consent is obtained from

them in terms of Section 174 of the Andhra Pradesh Municipalities Act, 1965.

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

JUSTICE SANJAY KUMAR

April 25, 2016
Lmv