

THE HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.24772 OF 2012

ORDER:

Heard both sides.

The petitioner prays for Mandamus declaring the action of respondents in trying to demolish their buildings in R.S.Nos.271/1, 271/2, 234/1A, 277/9 of Raghavapuram Village, Chinthalapudi Mandal, West Godavari District, without recourse to law, as illegal, arbitrary and violative of Article 300-A of the Constitution of India.

This Court on 13.08.2012 passed the following order:

“Pending further orders, respondents are directed not to take any steps for demolition of petitioner's houses covered by R.S.Nos.271/1, 271/2, 234/1A and 237/9 of Ragavapuram Village, Chintalapudi Mandal, West Godavari District, without following due process.”

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Except respondent No.7, no other respondents have filed counter affidavit. The counter affidavit of 7th respondent reads thus:

“I submit that the writ petition is misconceived. The population of the Raghavapuram Gram Panchayat is about 6000. The R & B department has proposed to extend the R & B Main road (Chintalpudi to Gurabhatlagudem) from single lane to double lane free flow of traffic. In this connection the R & B Department has marked up to 33 feet sides from the center of the road. While marking on the both sides of the road no intimation to this Gram Panchayat at any point of time.

I submit that after receiving the information about the writ petition from the counsel once again this respondent enquired about the facts with regard to the widening of the road. This respondent has also approached the Revenue department about the information with regard to the widening of the road. The Tahasildar information vide his letter dated 15.8.2012 stating that the Revenue Department has no information but given the particulars of the marked

portions.”

The stand of 7th respondent is taken on file.

Having regard to the failure of respondents to file any reply against the threatened action of demolition of houses in the survey numbers referred above, the writ petition is ordered directing the respondents not to take steps for demolition of petitioner's houses covered by R.S.Nos.271/1, 271/2, 234/1A, 277/9 of Raghavapuram Village, Chinthalapudi Mandal, West Godavari District, without following the procedure prescribed by law. No costs.

Consequently, pending miscellaneous petitions, if any, also stand disposed of.

S.V.BHATT, J

Date:20.07.2016

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