

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 14417 of 2016

ORDER:

Heard Sri M.Vidyasagar, learned counsel for the petitioner, and Sri S.D.Goud, learned Standing Counsel for the Chittoor Municipal Corporation.

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

‘This Hon’ble Court may be pleased to issue a writ, order or direction, more particularly a writ in the nature of Writ of Mandamus declaring the action of the 1st respondent i.e., Chittoor Municipal Corporation, Chittoor, rep. by its Commissioner in marking the structures belonging to the petitioner bearing Door No.5-116 which is a residential house and bearing Door Nos.5-117 to 120 which is a saw-mill situated at Santhapet, Indiranagar Area, on Chittoor to Aragonda Road, Chittoor for expansion of road widening without resorting to land acquisition proceedings for acquiring the property of the petitioner as bad, illegal, arbitrary, opposed to law and pass such other order or orders as the Hon’ble Court may deem fit and proper.”

3. Tax documents are filed by the petitioner in proof of her possession over the subject property. That being so, it is not open to the municipal authorities to interfere with such property for the purpose of road widening without following the due procedure.

4. The Writ Petition is accordingly disposed of directing the municipal authorities to adhere to the due procedure laid down by law if any interference is warranted with the property of the petitioner in relation to the proposed road widening.

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

JUSTICE SANJAY KUMAR

April 26, 2016

Note:

Furnish copy by tomorrow.

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Lmv