

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7705 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit that this Hon’ble Court may be pleased to issue a Writ Order or direction, more particularly one in the nature of Writ of mandamus declaring the action of the 3rd Respondent in trying to demolish the petitioners property situated in D.No.4-13-22 situated at Main Road, Tuni, E.G. District as illegal, arbitrary and violative of the principles of natural justice and contrary to the Article 300(A) of Constitution of India, and consequently direct the respondents not to demolish the petitioners property situated in D.No.4-13-22 situated at Main Road, Tuni, E.G. District pending disposal of the above writ petition and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Sri Nimmagadda Venkateswarlu, learned Standing Counsel for the third respondent Municipality, on instructions, submitted that so far the respondents have merely made a marking as a prelude for initiation of land acquisition proceedings and that they will not interfere with the petitioner’s possession of the abovementioned property until land acquisition proceedings are initiated or consent is obtained under Section 174 of the Andhra Pradesh Municipalities Act, 1965.

In the light of these submissions of the learned Standing Counsel, the apprehension based on which this writ petition is filed by the petitioner stands allayed.

The writ petition is accordingly closed placing on record the afore-stated submissions of the learned Standing Counsel.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

10th March, 2016

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