

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.27762 of 2016

ORDER:

Petitioner prays for the following relief:

“... to issue a writ, order or direction more particularly one in the nature of **WRIT OF MANDAMUS** declaring the action of respondents in marking house site property bearing Door No.11-123/3 admeasuring 56 sq. meters in Survey No.885 of Yerragondapalem Revenue village situated western adjacent to Macherla to Markapur Road in Erragondapalem Mandal of Prakasam District for the purpose of widening of NH-565 passing through Erragondapalem village and insisting the petitioner's to vacate from the said house site property, without acquiring the same and without paying compensation by following due procedure established by law, as illegal, irregular, irrational, violative of articles 14, 21 and 300-A of constitution of India and consequently direct the respondents not to interfere in any manner with the petitioner possession over said property and pass such other orders or order as this Honourable Court may deem fit and proper in the circumstances of the case.”

2. At the request of counsel appearing for parties, the writ petition has been adjourned from 18.08.2016 to today to enable the counsel to make submissions on behalf of respondents.

3. Mr. S.S. Varma appearing for the fourth respondent submits that the marking referred to in the writ affidavit of petitioner's house is for the purpose of fixation and finalization of road width and alignment and for road widening, the respondents will not demolish or take possession of petitioner's property without recourse to law and paying compensation. The Assistant Government Pleaders appearing for other respondents express the same view on the apprehension of petitioner.

The writ petition is disposed of in terms of the submissions made by learned counsel appearing for parties. Hence, the demolition for widening road at petitioner's house shall be in accordance with law and after paying compensation. As a sequel, the miscellaneous applications, if any pending,

shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

August 19, 2016
DSK