

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 46346 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

2. With the consent of both the parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue a Writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of respondents in demolishing the structures under the guise of the road widening scheme in Dowleswaram and by making marking for such demolition over the hotel premises of the petitioner bearing D.No.20-1081 of Battina Subbarao Colony, Dowleswaram, Rajahmahendravaram Rural, East Godavari District without issuing any notice prior to such demolition and proceeding for demolition as illegal and arbitrary’.

4. It is the case of the petitioner that the respondents are demolishing the structures raised over the property in dispute, without giving prior notice to the petitioner or to any of the aggrieved persons.

5. Learned Government Pleader submits that the petitioners are in possession of the property in dispute.

6. Having regard to the above, the writ petition is disposed of directing respondent-authorities not take any steps of dispossession or demolition of the property in dispute, without following due process of law.

7. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

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JUSTICE C.PRAVEEN KUMAR

30.12.2016,  
vhh

