

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.17222 OF 2016

ORDER:

Heard both sides and with consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present Writ Petition is filed seeking issuance of writ of *mandamus* declaring the action of respondents 3 and 4 in taking steps to demolish the petitioner's house bearing Door No.13-43-8, and shops bearing Door Nos.13-43-9 to 13-43-13 in Sy.No.447-1C to an extent of Ac.0-21 cents situated at Revenue Ward No.13, Gandhi Bazar, Main Bazar, Amarapuram Road, Madakasira Town and Mandal, Ananthapur District without issuing any notice, without paying any compensation and without following due process of law as illegal and arbitrary and consequently, to direct the respondents not to demolish the above mentioned house and shops of the petitioner.

3. The petitioner filed property tax receipt and an electricity bill in proof of his possession over the subject house property. He apprehends that the municipal authorities would resort to take coercive steps of demolition of his house property for the purpose of road widening.

4. Sri Mohd. Saleem, learned Standing Counsel, would however state that only a survey was carried out and markings are yet to be made. He would state that the municipal authorities would follow the procedure contemplated under law before taking

any steps of removal of the house and shops.

5. In that view of the matter, the Writ Petition is disposed of directing the respondents-Municipality to adhere to the due procedure laid down by law in the event any interference with the petitioner's house property, in the process of the proposed road widening.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

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JUSTICE C. PRAVEEN KUMAR

Date:03.06.2016
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