

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.38096 OF 2016

ORDER:

Heard Ms.A.Vijayalakshmi for petitioner and the standing counsel for MPDO.

The 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 the respondents in taking steps to laying road into the agricultural land of the petitioner in Sy.No. 199-3 Ac.8.55 cents out of Ac.2.85 cents situated at Vankarakunta Village, Nallamada Mandal, Anantapur District without following the due process of law as illegal, arbitrary, unconstitutional and in violation of principles of natural justice and in violation of Arts.14, 19 and 300-A of the Constitution of India and consequently direct the respondent herein not to interfere with petitioner's peaceful possession and enjoyment of the above said agricultural lands without following the due process of law..”

In support of petitioner's right and title to the property, the petitioner relies upon pattadar pass book issued to petitioner and against the complaint namely laying a road without acquiring land reliance is placed on legal notice dated 15.09.2015 got issued by the petitioner.

The standing counsel submits that the writ prayer appears to be apprehensive in nature and alternatively submits that if respondent No.5 is laying down a road through Survey No.199-3, the same will have to be in accordance with the procedure stipulated by law.

Having regard to the limited submissions of counsel appearing for parties, I am satisfied that the writ petition can be disposed of by this order.

- a) Respondents are directed to take note of objection raised by the petitioner through legal notice dated 15.09.2015 and act in accordance with law.
- b) Respondents shall not change the physical features or lay a road without following the procedure stipulated by law for acquiring the property.
- c) The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.
- d) The parties are directed to maintain *status quo* as on today in all aspects.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S. V. BHATT, J

Date: 07.11.2016
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