

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.258 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“For the reasons stated in the accompanying affidavit, It is therefore prayed that this Hon’ble Court may be pleased to issue a Writ or Order or direction more particularly in the nature of Writ of Mandamus, declaring the proposed action of the respondents in demolishing the houses properties of the petitioner bearing H.No. 9A-248, Gareeb Nagar, Ward No.9, Kalyandurgam, Anantapuramu district without due process of law is as illegal, null and void and violative of Articles 19 and 21 of Constitution of India and violative of principles of natural justice and for a consequential order directing the respondents to drop all further proceedings in this regard and pass such other order or orders may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of Sri *G.Sravan Kumar*, learned counsel appearing for the petitioner, learned Government Pleader for Roads and Buildings appearing for the respondents 1 to 3, learned Government Pleader for Revenue appearing for the 4th respondent, and of Sri *S.D.Goud*, learned Standing Counsel, appearing for the 5th respondent Municipality. I have perused the material record.

3. Learned counsel for the petitioner would submit that the respondent authorities are trying to demolish the subject property of the petitioner for road widening purposes without following due process of law and, hence, the present writ petition is filed. He would further submit that if a direction is given to the respondents not to interfere with the subject property of the petitioner, except by

following the procedure established by law, the ends of justice would be met.

4. Learned Standing Counsel for the 5th respondent Municipality endorses the said submission.

5. Recording the submission, the Writ Petition is disposed of directing the respondents not to interfere with the subject property of the petitioner, in any manner, except by following the procedure established by law.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

M.SEETHARAMA MURTI, J

Date: 3rd January, 2018

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