

THE HONB'E SRI JUSTICE CHALLA KONDANDA RAM

WRIT PETITION No.6680 OF 2017

ORDER:

The writ petition is filed challenging the action of the respondents 2 to 5 in demolishing the pial of the petitioner's house bearing No.6-77, situated in Ryali Village, Atreyapuram Mandal, East Godavari District and trying to demolish the compound wall of the above said house of the petitioner without following due procedure of law under the Right to Fair Compensation and Transparency in Land Acquisition, Resettlement and Rehabilitation Act 30 of 2013 (for short, "the Act").

It is the case of the petitioner that he is the absolute owner and possessor of the above said property as it has inherited from his father. While things stood thus, all of a sudden in the 2nd week of February, 2017, the staff members of the respondents 2 to 4 were trying to mark for demolition of the compound wall and when the petitioner resisted the same, the staff of the respondents left the place. It is stated that the respondent authorities are trying to demolish the constructions even without issuing any notice as per the provisions of the Act.

Learned counsel for the petitioner submits that the respondents-authorities are making hectic efforts to lay the road in the property of the petitioner even without following the due process of law.

Learned Government Pleader for Road and Buildings submits that the allegations made by the petitioner are false. If really the land of the petitioner is required, the respondents-authorities would follow

the due process of law and appropriate steps would be taken in accordance with law.

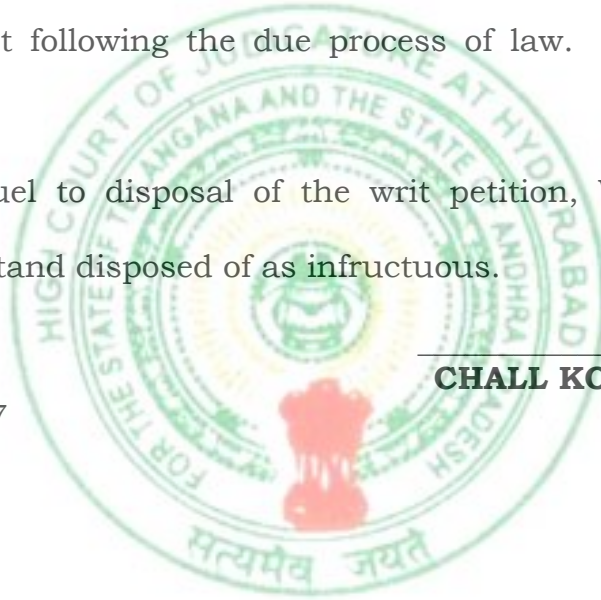
In the light of the submissions made by the respective counsel and in view of the admitted facts of the case that the petitioner is in possession and enjoyment of her property, his possession shall not be interfered with by the respondents-authorities without following the due process of law as enjoined whether under the Land Acquisition, Rehabilitation and Resettlement Act, 2013 or in any other law.

Accordingly, the writ petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the petitioner except following the due process of law. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand disposed of as infructuous.

Date:01.03.2017
Gk.

CHALL KODANDA RAM,J



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