

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.4204 OF 2017

ORDER:

The Writ Petition is filed challenging the action of respondent Nos. 2 and 3 in trying to demolish part of the compound wall of petitioner's plot No.3 on National Highway, Sy.No.993, Sadasivapeta Mandal, Medak District, without following due process of law.

It is the case of the petitioner that he is the absolute owner and possessor of the subject property as he purchased the same under a registered sale deed dated 10.08.1994. Petitioner has been carrying on marble and granite business in the subject plot. While things stood thus, in the year 2010, respondent No.3 issued notice dated 03.07.2010 stating that the subject land is Kandakam land and belongs to Government and, hence, respondent No.3 is trying to demolish the compound wall. On receipt of notice, the petitioner approached this Court by filing Writ Petition No.17505 of 2010 and this Court granted interim order on 21.07.2010. It is stated that respondent No.2 is proposing to widen the existing road, as per the recommendation of respondent No.3, without even issuing any notice or without following due process of law.

Learned counsel for the petitioner submits that the respondent - authorities are making hectic efforts to widen

the existing road in the property of the petitioner without following due process of law.

Learned Government Pleader for Road and Buildings submits that the allegations made by the petitioner are false and, if really the land of the petitioner is required, the respondent - authorities would follow 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 fact that the petitioner is in possession of the subject property, his possession shall not be interfered with by the respondent - authorities without following due process of law as enjoined under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or 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 due process of law. No order as to costs.

Miscellaneous applications, if any, pending shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dated:08.02.2017
usd

HON'BLE SRI JUSTICE CHALLA KODANDA RAM



WRIT PETITION No.3456 OF 2017

Date:02.02.2017

Gk

