

THE HON'BLE SRI JUSTICE A.V. SESA SAI

W.P.No.11048 of 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“To issue a writ of mandamus or any other appropriate writ or direction declaring the action of the 2nd respondent in proposing to give Transferable Development Right (TDR) as per A.P.Building Rules 2012 to the land owners without paying compensation to the affected families as illegal arbitrary and contrary to the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 vide proceedings in Rc.No.15/2015/ACP-III dated 16.5.2015 and consequently direct the respondents to pay compensation to the Petitioner as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013”.

2. Today, when the matter is taken up, it is submitted by the learned counsel for the petitioner that the petitioner is the absolute owner of the property mentioned in the cause title of the writ petition situated at A.V.N.College Road, Visakhapatnam. The only grievance of the petitioner is that the Respondent Corporation has resorted to the high-handed action of widening the roads through the property of the petitioner, without recourse to law.

3. On the other hand, it is represented by the learned Standing Counsel appearing for the Respondent Corporation that if the petitioner is not agreeable for the Transferable Development Right (TDR) Scheme, the Respondent Corporation will follow due process of law for acquisition of property.

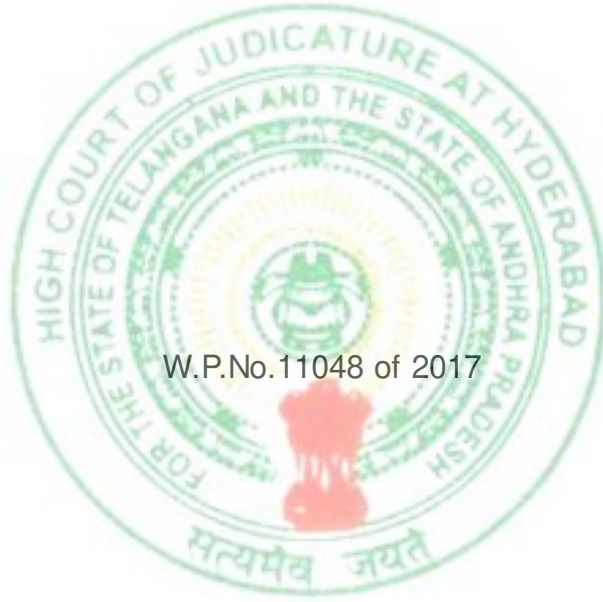
4. Recording the said submission, this writ petition is disposed, keeping it open to the Respondents herein to follow due process of law for the purpose of acquiring the property of the petitioner, if they are advised to do so. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V. SETHA SAI , J

Date: 27.3.2017
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27.3.2017