

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.43365 of 2016

ORDER:

Heard learned counsel for petitioners, Assistant Government Pleader for Roads and Buildings for respondents 1 and 4 to 7 and Assistant Government Pleader for Revenue for respondents 2 and 3.

On 20-12-2016, at request of respondents, the writ petition has been adjourned to today.

Respondents 3 to 6 have filed separate counter affidavits. The operative portion of the counter affidavit of respondents 4 to 6 reads thus:-

“It is respectfully submitted that the Assistant Executive Engineer (R&B) Section Chandarlapadu, Krishna District addressed a letter to the Tahsildar, Chandarlapadu Mandal on 01-12-2015 requesting to fix the (R&B) road boundaries for the purpose of widening the roads.

It is respectfully submitted that the contention of the petitioners that the respondents 4 to 6-Roads and Buildings authorities tried to demolish and remove the structures of the residential houses of the petitioners in widening of R&B road at Muppallal Village, without following due process of law is incorrect, baseless, far from truth and has been crated for the purpose of filing the present writ petition. It is submitted that the respondents 4 to 6 herein followed the due process of law and laying the road.”

From the above, it is clear that the respondents accept the obligation to follow the procedure stipulated by law before either

interfering with the possession and enjoyment of petitioners or demolishing the structures of petitioners.

By placing the above statement on record, the writ petition is disposed of accordingly. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

Date: 03-01-2017
Prv

