

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.23281 OF 2017

ORDER:

The Writ Petition is filed challenging the action of the respondents 2 to 6 in threatening to demolish the petitioner's house situated at No.128, Kuppam Palace Compound, 14th Block to an extent of 202 2/9 square yards, Kuppam Town, Chittoor District, as illegal and arbitrary and consequently, direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioner's shop and house property.

It is the case of the petitioner that he is the owner of the residential house and the shops situated in the abovementioned property and he is peaceful possession and enjoyment of the same. While so, the respondents are intending to lay double side road through the petitioner's house property and threatening him to hand over the property, without following the procedure under law and without issuing any notice to him. If the respondent authorities are allowed to proceed with the demolition of the petitioner's house property for laying the double side road, the petitioner will suffer irreparable loss. Hence, the present Writ Petition.

Learned counsel for the petitioner submits that the respondents-authorities are making hectic efforts to demolish the petitioner's house for laying the double side road, even without issuing notices and without following due process of law.

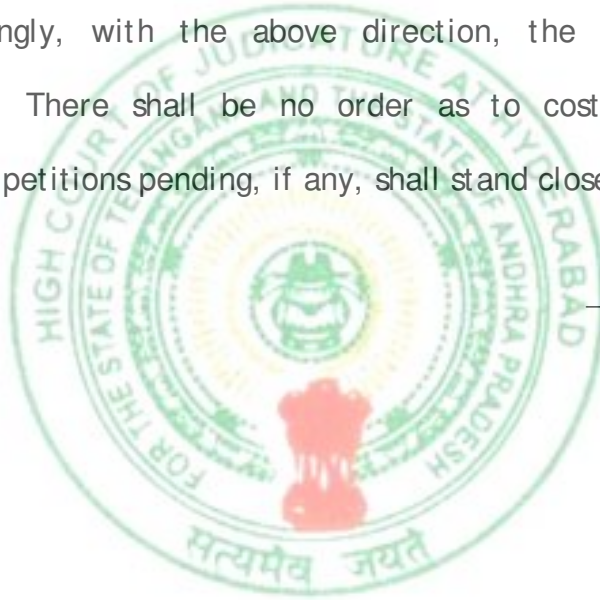
Learned Government Pleader for Roads and Buildings submits that the allegations made by the petitioner are false. If really the land of the petitioner is required, the respondent-authorities would follow the

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 fact that the petitioner is in possession and enjoyment of his property, his possession shall not be interfered with by the respondents-authorities without following due process of law as enjoined, whether under the Right to Fair Compensation and Transparency of Land Acquisition, Resettlement and Rehabilitation Act 20 of 2013 or in any other law.

Accordingly, with the above direction, the Writ Petition is disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

July 13, 2017
KTL



RAJA ELANGO, J