

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.14592 OF 2017

ORDER:

This Writ Petition is filed declaring the action of respondent Nos.2 and 3, in putting markings for demolition of petitioner's building D.No.3-98/E, Main Road, Kaligiri, SPSR Nellore District, A.P. without issuing any notice and without initiating any proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013), as being arbitrary and illegal.

In the affidavit filed in support of the writ petition, petitioner states that he purchased the subject property and is running hospital thereat. He further states that, with an intent to widen the road to 60 feet, respondent Nos.2 and 3 had put markings to demolish the building without issuing any notice or proceedings under Act 30 of 2013.

Learned counsel for the petitioner would submit that, if the land of the petitioner is required for any public purpose, due process of law has to be followed without depriving his rights.

Learned Government Pleader for Roads and Buildings, on instructions, submits that, as there is a proposal to widen the road, wherever the parties have

right over the property, compensation shall be paid in accordance with law; and respondent – authorities shall follow due process before making any extension to the existing road.

Recording the submission made by learned Government Pleader for respondent Nos.2 and 3, the Writ Petition is disposed of. It is made clear that respondent Nos.2 and 3 shall not demolish the building of the petitioner without following due process of law, if his property is required for any public purpose.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

CHALLA KODANDA RAM, J

Date:21.04.2017
Gk

