

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21747 OF 2017

ORDER :

The case of the petitioners is that the 1st petitioner owns a house bearing No.1/30A in Basapuram Village of Kurnool District and the 2nd petitioner also owns a house bearing No.2/14-A in the same village; and that the said houses were constructed more than 60 years back in their own patta land and there are no encroachments. The petitioners are also paying house tax to the Gram Panchayat. While things stood thus, the 3rd respondent issued a notice dated 13.05.2017 stating that the MDR Road is proposed to be widening under the Central Government Finding Scheme; that between Km.3/000 to 3/200 certain encroachments were noticed; and that the concerned persons were directed to remove the said encroachments within 15 days. The said notice was affixed on the house doors. Questioning the said notice the petitioner submitted a representation before the 4th and 5th respondents, but, without considering the said representation, the respondents are trying to demolish the houses of the petitioners in pursuance to the said notice. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioners.

Learned Assistant Government Pleader for Roads and Buildings, on instructions submits that the respondent authorities will follow due process of law, in case if they undertake any action against the petitioners.

In view of the above facts and circumstances, the respondents are directed not to demolish the petitioners' houses without following due process of law.

Accordingly the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

04.07.2017
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A.RAJASHEKER REDDY, J