

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

WRIT PETITION No.11829 of 2017

ORDER:

When the matter is taken up, it is submitted by the learned counsel for the petitioners so also the learned Standing counsel for the Vizianagaram Municipality, 3rd respondent, that the issue in the present Writ Petition is squarely covered by the order of this Court in W.P.No.11041 of 2017, dated 27.03.2017, and a copy of the same is placed on record along with the writ petition as material paper. Operative portion of the said order at paras 2 to 4 read as under:

“2. Today, when the matter is taken up, it is submitted by the learned counsel for the petitioners that the petitioners are the absolute owners of the properties mentioned in the cause title of the writ petition situated at Phoolbagh Road, Vizianagaram. The only grievance of the petitioners is that the Respondent Municipality has resorted to the high-handed action of widening the roads through the properties of the petitioners, without recourse to law.

3. On the other hand, it is represented by the learned Standing Counsel appearing for the Respondent Municipality that if the petitioners are not agreeable for the Transferable Development Right (TDR) Scheme, the Respondent Municipality 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 properties of the petitioners, 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.”

Following the above said order and for the reasons recorded therein, this Writ Petition is also disposed of in terms thereof.

Miscellaneous petitions, if any pending, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 03.04.2017
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