

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.15785 OF 2012

ORDER:

The writ petition is filed seeking a writ of mandamus declaring the action of the respondent Corporation in attempting to dispossess the petitioner from her private land in an extent of Acs.3.75 cents situated in survey No.89/1 and 2 of Kurmannapalem, Gajuvaka Mandal, Visakhapatnam on 21.05.2012 at 3.00 p.m., without issuing any notice and without following any due process of law under the Land Acquisition Act or HMC Act if her land is required for any public purpose by paying the compensation of Market Value and proclaiming to dispossess her at any moment and at any cost on resistance, as illegal and arbitrary, and consequently to direct the respondent Corporation not to dispossess the petitioner from her private land without following any due process of law.

Heard and perused the material.

When the case was called on 23.01.2017, learned counsel for the petitioner was absent and there was no representation and as such, the case was directed to be listed under the caption 'for dismissal'. Today, i.e., 30.01.2017, though the case is listed under the caption 'for dismissal', learned counsel for the petitioner is absent and there is no representation.

On a perusal of the record, it is evident that the grievance of the petitioner is that the respondent Corporation is trying to dispossess the petitioner from her land without issuing any notice or without following any due process of law.

Considering the facts and circumstances of the case, the respondent Corporation is directed to follow due process of law while dispossessing the petitioner, if the petitioner is in possession of the subject property.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

30.01.2017
pln

