

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1475 OF 2009

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue an order or direction more particularly one in the nature of writ of mandamus or any other writ order or direction declaring the action of the respondent authorities in earmarking the portions of the residential houses of the petitioners i.e., the houses bearing No.6-51 of the petitioner No.1, the residential house bearing No.6-100 of the petitioner No.2, the residential house No.6-30 and 6-31 of the petitioner No.3, the house bearing No.7-2 of the petitioner No.4, the residential House bearing No.8-4 of the petitioner No.5, the residential house bearing No.7-1 of the petitioner No.6, the residential house bearing No.6-10 of the petitioner No.7, the residential house bearing No.6-46 of the petitioner No.8, the residential house bearing No.6-47 of the petitioner No.9, the residential house bearing No.3-4 of the petitioner No.10, the residential house bearing Nos.3-5, 2-56, situated at Padimadugu Village of Korutla Mandal, Karimnagar District for demolishing for the purpose of road widening without initiating land acquisition proceedings and without paying any compensation and without issuing any notice is nothing but arbitrary, illegal, null and void and violative of the provisions of the A.P. Panchayat Raj Act and also violative of the Articles 14, 19, 21 and 300-A of the Constitution of India. Consequently direct the respondents authorities not to demolish any portion of the petitioners residential houses bearing No.6-51 of the petitioner No.1, the residential house bearing No.6-100 of the petitioner No.2, the residential house No.6-30 and 6-31 of the petitioner No.3, the house bearing No.7-2, of the petitioner No.4, the residential House bearing No.8-4 of the petitioner No.5, the

residential house bearing No.7-1 of the petitioner No.6, the residential house bearing No.6-10 of the petitioner No.7, the residential house bearing No.6-46 of the petitioner No.8, the residential house bearing No.6-47 of the petitioner No.9, the residential house bearing No.3-4 of the petitioner No.10, the residential house bearing No.3-5, 2-56, situated at Paidimadugu Village of Korutla Mandal, Karimnagar District unless the land acquisition proceedings are initiated and unless compensation is paid to the petitioners.”

2. The main grievance of the petitioners is that the respondents are trying to demolish the aforesaid houses on the ground of road widening without following the due process of law.

3. Heard and perused the material available on record.

4. Considering all the facts and circumstances of the case and the grievance of the petitioners, the respondents are directed to follow the due process of law if they intend to take possession of the aforesaid houses of the petitioners.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

Date: 22.8.2017
AMD

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