

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.23627 OF 2017

ORDER:

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

“to issue a Writ order or direction more particularly one in the nature of Writ of mandamus declaring the action of the respondents in laying the Bus Bay and deviating the drain in petitioners lands in S.No.236/7 in an extent of Ac.0.66 cents situated at Chandrasekharapuram Girijana Colony, Pothireddypalem Village, Kovur (Mandal) SPSR Nellore Dist., A.P. for widening of the existing Road of Nellore Bellari - Bombay Section National Highway Road No.67 (Potireddypalem to Kovvur) at Potireddypalem, Kovvur Mandal, Nellore District in the State of Andhra Pradesh without due process of law as illegal, arbitrary and violation of Arts.14, 21 and 300-A of the Constitution of India and violation of principles of natural justice and consequently direct the respondents to proceed as per law.”

2. Heard and perused the material available on record.
3. The main grievance of the petitioner is that on the ground of road widening, the respondents are trying to take possession of the subject land without following the due process of law.
4. Considering the facts and circumstances of the case and the grievance of the petitioner, without going into the merits of the case, the Writ Petition is disposed of directing the respondents not to take possession of the subject land without following the due process of law. There shall be no order as to costs.

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

JUSTICE RAJA ELANGO

Date: 18.07.2017
AMD



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