

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.19613 OF 2017

ORDER:

This Writ Petition is filed by the petitioners with the prayer which reads as follows:-

“To issue an appropriate Writ or order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents 2 to 4 herein in trying to demolish the building bearing H.No.61/3A situated Kakkalapalli village, Anantapur Mandal and District more than the extent of 270sq.Ft.acquired in Rc.No.d1-LA/699/2015, dated 03.09.2016 of the 3^d respondent even without taking any recourse to acquisition or requisition proceedings, as being illegal, Arbitrary, unconstitutional, and violative of Fundamental Rights more particularly in violation of Articles 21 and 300-A of the Constitution of India, apart from being violative of principles of natural justice and fair play and consequently direct the respondents not to demolish the aforesaid building more than 270sq.ft, and pass such other or order or orders may deem fit and proper.”

Heard learned counsel for the petitioners and also the learned Govt. Pleader for Land Acquisition representing respondents 2 and 3 and the learned Govt. Pleader for Municipal Administration for respondents 1 and 4 and perused the written instructions received by the learned Govt. Pleader for Land Acquisition and perused the prayer in the Writ Petition, including supporting affidavit and other material on record.

It is the contention of the petitioners that the respondents, without following due process of law, trying to interfere with the possession and enjoyment of the petitioners. On perusal of the written instructions received by the learned Govt. Pleader for Land Acquisition clearly shows that they initiated proceedings under

Land Acquisition Act, and passed Award No.04/2016 dated 14.10.2016 in respect of acquisition of extent 41725.6sq.feet of site covered by S.No.2015-A1A and 2017-3B etc. of Kakkalapalli village of Anantapur Mandal and town and they are not interfering with any other land, other than the lands covered by the Award.

By recording the same, the Writ Petition is disposed of. Needless to say any further acquisition if at all is required by the respondents, only through due process of law. As a sequel, miscellaneous petitions if any pending in this Writ Petition shall stand closed.

Dt.23.06.2017,
b/o. vvr



Dr. B. SIVA SANKARA RAO, J