

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.21401 of 2017

ORDER:

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

“....it is therefore prayed that this Hon'ble Court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent nos.2 to 5 in trying to dispossess the petitioners from their properties i.e. H.No.1-4-213/ C/ 5 (plot no.5) in Sy.No.576, 580 and 582 of petitioner no.1 and plot nos.22 and 21 of petitioner nos.2 and 3 in Sy.Nos.580 and 584 situated at Sadhana Vihar Colony and Pushpanjali enclave, Kapra (v) Keesara Mandal, Panga Reddy District, presently Medchal-Malkajgiri District, without issuing any notice, without initiating any land acquisition proceedings is illegal, arbitrary and violative of principles of natural justice and violative of Art.300-A of Constitution of India and consequently direct the respondents not to dispossess the petitioners from their properties, in any manner without following due procedure as per law and to pass such other order or orders which are deem fit and proper in the circumstances of the case.”

[Reproduced verbatim]

2. I have heard the submissions of *Sri MMM Srinivasa Rao*, learned counsel appearing for the petitioners; learned Government Pleader for Municipal Administration & Urban Development appearing for the 1st respondent; *Sri P.Krishna Reddy*, learned Standing Counsel appearing for the respondents 2 and 3; learned Government Pleader for Irrigation & Command Area Development appearing for the 4th respondent, and of the learned Government Pleader for Revenue appearing for the 5th respondent. I have perused the material record.

3. At the hearing, learned counsel for the petitioners would submit that if a direction is given to the respondents not to interfere with or demolish the

subject properties of the petitioners except by following the procedure established by law, the ends of justice would be met.

4. Learned Standing Counsel appearing for the respondents 2 and 3 submits that the respondents would follow due process of law, before taking action against the properties of the petitioners.

5. Recording the said submission, the Writ Petition is disposed of directing the respondents 2 and 3 not to interfere with or demolish the subject properties of the petitioners without following the due process of law.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

08.12.2017
RAR



M. Seetharama Murthi, J