

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4142 of 2015

ORDER:

Heard Sri T.V.S.Prabhakar Rao, learned counsel for the petitioner, and Sri A.Panduranga Rao, learned Standing Counsel for respondent No.3.

Petitioners are owners of different extents of lands in different survey numbers in Kolamuru Village within the limits of Rajamahendravaram Municipal Corporation. Respondent No.2 proposed to revise the master plan of Rajamahendravaram, prepared draft plan and called for objections from the effected parties with respect to formation of 100 ft. road with green belt from sanatorium Korukonda road to lalacheruvu. Objections were received stating that, if green belt is maintained for another 100 ft., the property owners would lose 200 ft. and objected marking. The grievance of the petitioners is that, without considering their objections and without following due process of law, respondent No.2 is proposing to lay 100 ft. road through their properties.

As the petitioners claim to be the owners of the subject properties, it is well settled that the property rights of a citizen are protected under Article 300-A of the Constitution of India. Respondent – authorities, if require

the subject properties for legitimate purpose, shall acquire by following due process of law.

In the circumstances, the Writ Petition is disposed of with a direction to respondent No.2 that the petitioners shall not be dispossessed and their possession shall not be interfered with except in accordance with law.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

JUSTICE CHALLA KODANDA RAM

Date: 08.02.2017
usd

