

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.22401 OF 2017

ORDER

This writ petition is filed for the following relief:

“.... to issue writ, order or direction more in the nature of Mandamus declaring the action of the respondents herein without following any due process of law and without paying any compensation to the petitioners and proceeding to demolish the own houses of the petitioners is illegal, unjust and unfair and arbitrary violation of Art.14,16, 19 (g) 21 and 300-A of Constitution of India and consequently direct the respondents to stop the illegal demolition of the own houses of the petitioners in the interest of justice and to pass such other order or orders as the Hon'ble Court deems fit and proper in the circumstances of the case.”

The petitioners state that about 32 years ago, they constructed houses at Sundaraiah Nagar, Hanuman Nagar, Hanamkonda of Warangal Urban District, and have been residing therein. The houses of the petitioners are situated beside the Kakatiya Canal (Main) which flows from Chinthagattu

to Shayampet around 12 kilometers length. Now, the respondents are planning to widen Kakatiya Canal at Sundaraiah Nagar and have given red marking to the houses possessed by the petitioners. When the respondents are proceeding to demolish the houses of the petitioners, they filed the present writ petition.

Though the houses were constructed under Indiramma Housing Scheme, the petitioners are entitled for protection. The respondents cannot highhandedly interfere with the possession of houses of the petitioners.

Accordingly, the Writ Petition is disposed of directing the respondents not to interfere with the possession of houses of the petitioners without following due process of law. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

7th July, 2017

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