

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.33687 OF 2017

ORDER:

Heard learned counsel for the petitioners and Sri T.S.Venkata Ramana, learned counsel for the respondent.

2. When the matter is called, it is submitted by learned counsel for the petitioner so also learned counsel for the respondent that the issue in the present writ petition is squarely covered by the common order, dated 01.09.2017, in W.P.No.16899 of 2016 and batch of this Court. A copy of the same is also placed on record. The operative portion of the said order reads as under:

“The issue centres round a small area. The petitioners complain that the structures at petition property shall not be disturbed, if warranted for road widening except in accordance with law. After perusing the stand taken by respondents in the counter affidavits and also the notice issued by Corporation, this Court is of the view that the Vijayawada Municipal Corporation is taking steps to negotiate with the stake holders firstly to cooperate for road widening and also inviting them for negotiations. Therefore, in the matter of road widening, it is for the parties to respond. If they are not inclined to accept the offers given either under G.O.Ms.No.168 or 119, it is needless to emphasis that the Vijayawada Municipal Corporation is required to follow the procedure prescribed by law for demolishing or dispossessing the occupants. In case of assigned plots, liberty is given to respondents to negotiate for allotment of plot/accommodation to assignees and subject to such settlement between assignees and the Corporation road widening is taken up by Corporation.”

3. Following the said order and for the reasons stated therein, this writ petition is also disposed of in terms thereof. However, it is further made clear that if the negotiations do not materialize, the respondent shall initiate proceedings under the provisions of Act 30 of 2013 if any private properties of the petitioners are required for public purpose. There shall be no order as to costs.

4. Office to enclose a copy of the common order, dated 01.09.2017, in W.P.No.16899 of 2016 and batch to this order.

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

Date : 10.10.2017
AMD

JUSTICE A.V.SESHA SAI



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