

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.6461 of 2012

ORDER:

Heard Sri Venkateshwar Varanasi for petitioner, the Assistant Government Pleader (Panchayat Raj) for 1st respondent and Sri Narendra Reddy for respondents 2 and 3.

The petitioner prays for the following relief :-

“..... Writ of Mandamus declaring the action of the respondents more particularly respondents 2 and 3;

(i) in not initiating any acquisition proceedings for the land already surrendered by the petitioners for the purpose of widening the road to 24'-0'.

(ii) in seeking to demolish the house of petitioners for the purpose of widening the road to 26'-0' without initiating acquisition proceedings or without following due process of law; as arbitrary, illegal, violative of principles of natural justice and contrary to Articles 14, 21 and 300-A of the Constitution of India”

On 09-03-2012, the possession of petitioner of subject matter of writ petition has been protected. The interim order is subsisting as on date. Respondents 2 and 3 neither filed counter affidavit nor sent instructions to the counsel representing them.

Since the interim order is subsisting for more than four years, I am satisfied the writ petition can be disposed of by making

interim order as final order and if respondents 2 and 3 require the land/building in possession of petitioner for any purpose, the respondents can acquire the extent so required for public purpose in accordance with law.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 23-01-2017
Prv

