

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.14417 of 2017

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the grievance of the petitioners is that the respondents without following the procedure established by law and without initiating any proceedings for land acquisition or any other legal proceedings are proposing to demolish the subject buildings of which the petitioners are lawful owners and possessors.

2. At the hearing, learned counsel for the petitioners would submit that the grievance of the writ petitioners would be redressed if the writ petition is disposed of with a direction to the respondent-authorities not to interfere with the possession of the subject properties of the petitioners except in accordance with the procedure established by law.

3. Learned counsel for the petitioners would also submit that individuals similarly placed as the petitioners also filed writ petitions and in some of the writ petitions interim orders are granted and that one such writ petition in W.P.No.7298 of 2017 was disposed of by this Court by an order dated 04.03.2017. His further submission is that if the municipal authorities require the properties of the petitioners for any purpose like road widening, the municipal authorities have to proceed in accordance with the procedure prescribed under Section 174(1) of the Andhra Pradesh Municipalities Act, 1965, read with Section 42 of the Land Acquisition Act, 1984 and the provisions of the substituted new Land Acquisition Act viz., Right to Fair Compensation and

Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

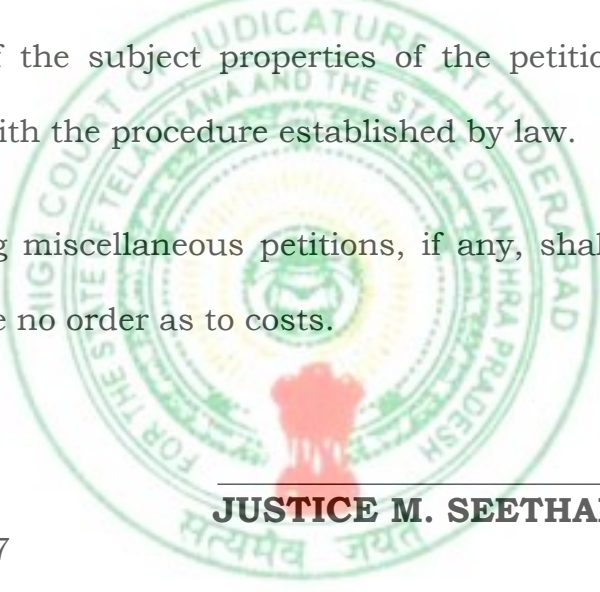
4. Learned Standing Counsel for the third respondent-Municipality would submit that this writ petition may be disposed of with appropriate directions.

5. Learned counsel for the petitioner also endorses the said submission.

6. Recording the submissions, the Writ Petition is disposed of directing the respondents-authorities not to interfere with the possession of the subject properties of the petitioners except in accordance with the procedure established by law.

Pending miscellaneous petitions, if any, shall stand closed.
There shall be no order as to costs.

April 24, 2017
LMV



JUSTICE M. SEETHARAMA MURTI