

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.20328 of 2017

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ, order or direction, more particularly one in the nature of writ of *Mandamus* declaring the action of the respondents in proposing to demolish the residential building of the petitioner in the site of an extent of Ac.1½ cents abutting Someswaram road in Sy.No.44/1 of Kuthukuluru Village, Anaparthi Mandal, East Godavari District without recourse to law, as illegal and arbitrary and consequently direct the respondents not to interfere with the petitioner's peaceful possession and enjoyment of his property of said survey number.

2. Heard Sri S.Sivabhami Reddy, learned counsel for the petitioner and the learned Government Pleader for Roads & Buildings and perused the material available on record.

3. Considering the facts and circumstances of the case, the respondents are directed not to demolish/meddle with the property in any respect including dispossession of the residential building of the petitioner in the site of an extent of Ac.1½ cents abutting Someswaram road in Sy.No.44/1 Kuthukuluru Village, Anaparthi Mandal, East Godavari District, without following the due process of law.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Consequently, Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

22nd June, 2017
skmr

