

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.NO.2201 OF 2017

O R D E R

Aggrieved by the action of the respondents – revenue authorities in issuing notice No.A/04/2016 dated 6.1.2017 asking the petitioners to vacate and handover the premises bearing No.4-8-1- situate at Masin road, Narayanapet, Mahaboonagar District, for the purpose of road widening, in violation of the principles natural justice and Articles 14, 21 and 300-A of the Constitution of India, the present writ petition has been filed.

The learned counsel for the petitioners submits that though the impugned proceeding is termed as “notice”, in fact the respondent authorities are forcing the petitioners to accept the cheques for compensation as determined by the authorities, without following the due process. The learned counsel further submits that the petitioners have no objection if the acquisition is made either with consent or by following the due process of law.

Heard the learned Government Pleader for Revenue.

It is well settled that no citizen can be deprived of his property rights, which are protected under Article 300-A of the Constitution of India, without following the due process of law. However, it is open for the respondents to acquire the property for the purpose of road widening by mutual consent or in the event the petitioners are not agreeable for mutual consent, by invoking the provisions of Right to fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Till then, the petitioners shall not be dispossessed from the property in question.

The writ petition is dispose of accordingly. No costs.

Miscellaneous petitions pending if any, shall stand closed.

CHALLA KODANDA RAM,J

DATE:24—01—2017

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