

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.2437 of 2012

ORDER:

This Writ petition, under Article 226 of the Constitution of India, is filed by the petitioner for the following relief:

“declaring the action of the 1st respondent in causing demolition of the compound wall of the petitioner's house bearing D.No. 1/312 of Malavya Nagar, Gudur Town, SPSR Nellore District on 18/19-11-2011 without any notice nor providing any opportunity to the petitioner and the further action in seeking to dispossess the petitioner from his property and construct a drain in the street situated on the south of the petitioner's house in a haphazard way without removing the encroachments in the street made by the respondents 2 to 4 herein and to lay a road to legalise the encroachments, as illegal, arbitrary, unjust and without jurisdiction and also violative of the provisions of A.P. Municipalities Act 1965 and offends articles 14, 21 and 300A of the Constitution of India and consequently direct the respondent to restore the demolished compound wall of the petitioner and not to undertake the construction of a drain or lay a road in the said street without removing the encroachments made therein.”

Heard and perused the material available on record.

While ordering notice before admission on 01.02.2012, this Court passed interim order directing the official respondents not to take any steps for demolition, without following due process of law.

When the matter is taken up for hearing today, learned Standing Counsel for the 1st respondent informed that the respondents will follow due process of law in case of any demolition of the property of the petitioner.

In view of the submission made by the learned Standing Counsel, this Writ Petition is disposed of by making absolute the interim order passed by this Court on 01.02.2012.

No order as to costs. Miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

February 20, 2017.
KTL