

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.8360 OF 2017

ORDER:

This Writ Petition is filed declaring the action of respondent No.2 - Municipality, in putting markings for demolition of petitioner's building D.No.18-1-1, situated in TS.Nos.41 and 47/4 of Jidduvari Veedhi, Vizianagaram, without issuing any notice and without initiating any proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as being arbitrary and illegal.

In the affidavit filed in support of the writ petition, petitioner states that respondent No.2 – Municipality had put marking upto 10 feet to demolish the building for the purpose of road widening without issuing any notice or proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

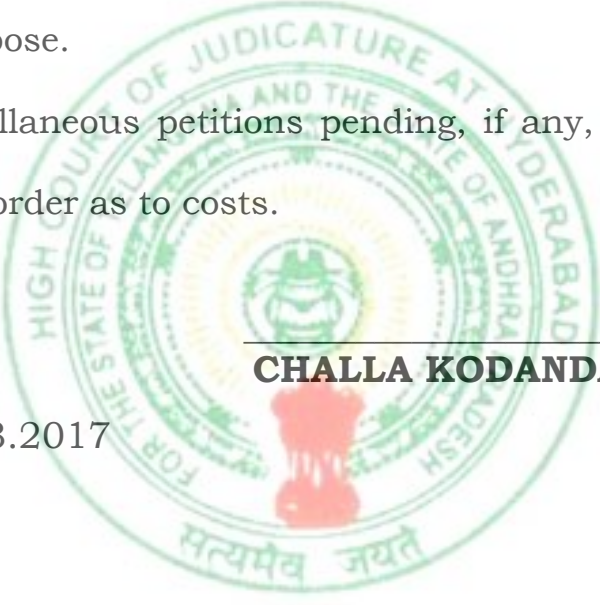
Learned counsel for the petitioner would submit that, if the land of the petitioner is required for any public purpose, due process of law would be followed without depriving his rights.

Sri Nimmagadda Venkateswarlu, learned Standing Counsel for respondent No.2 - Municipality, on instructions, submits that, as there is a proposal to widen

the road, wherever the parties have right over the property, compensation shall be paid in accordance with law; and respondent – authorities shall follow due process before making any extension to the existing road.

Recording the submission made by learned Standing Counsel for respondent No.2 - Municipality, the Writ Petition is disposed of. However, it is made clear that the respondents shall not evict the petitioner without following due process of law, if his property is required for any public purpose.

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



CHALLA KODANDA RAM, J

Date:10.03.2017
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