

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 36258 OF 2017

ORDER:

It is the case of the petitioners that the 1st petitioner is the owner and possessor of old thatched house bearing D.No.14-1-20/1, situated by the side of Narsapur-Mogalthur Road, Roypet, Narsapur, having purchased under sale deed No.53/1997, dated 04.01.1997 from Smt.Bhagya Lakshmi. The 2nd and 3rd petitioners are the owners and possessors of the property admeasuring an extent of 56 sq.yds consisting of RCC roofed building with D.No.14-1-19 and 66 sq.yds of site consisting of RCC roofed building with D.No.14-1-20 respectively situated at Narsapur-Mogalthur Road, Roypet, Narsapur, West Godavari District. They have got the said property under registered settlement deed dated 22.10.1994 and 16.04.1996 respectively executed by Smt. Bhagya Lakshmi vide Doc.No.3251/1994 and 813/1996 on the file of Sub-Registrar, Narsapur. The Municipality assessed the aforesaid buildings for property tax and they have been paying the tax regularly besides water charges. That there was a proposal to convert the R & B road passing in front of their houses as Narsapur to Mogalthur Road as National Highway No.214-A starting from Kathipudi of East Godavari District to Ongole of Prakasham District and that the road situated in front of the subject houses falls under said national highway,

as such, widening of the said road was taken up about six months ago by the respondent authorities. It is stated that the respondents 4 to 6 along with their personnel came to the subject houses on 24.10.2017 and laid marks through the same stating that they require the site up to the said identification marks and directed the petitioners to remove the houses up to the said marks, or else, they will take steps to demolish their buildings. Aggrieved by the same, present writ petition is filed.

2. Heard learned counsel for the petitioners, Sri S.S.Varma, learned Standing Counsel for the respondents 1 & 7, learned Assistant Government Pleader for respondents 2, 3 & 6 and learned Assistant Government Pleader for Roads & Buildings for respondents 4 & 5.

In view of above facts and circumstances, the respondents are directed not to evict the petitioners or demolish their houses, without following due process of law.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of.

A.RAJASHEKER REDDY,J

31-10-2017
kvs

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Date: 31.10.2017

kvs

