

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.38037 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners, seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the respondents in proposing to demolish the premises of the petitioners of the ground floor consisting of 13 shops, first floor Sahara India Parivar Office and the lodge in second floor in the Sudershan Shopping Complex and Annapurna Kalyana Mandapam in Sy.No.409/2, Ramadaspet in the old National Highway Road in Tekkali Town, Srikakulam District, without following the due process of law as illegally arbitrary and violation of Article 300-A of constitution of India and consequently direct the respondents not to demolish the petitioners premises without due process of law and pass such other order or orders as this Hon’ble Court may deem fit, proper and just in the circumstances of the case.”

[Reproduced verbatim]

2. I have heard the submissions of Sri *K.Bheema Rao*, learned counsel appearing for the petitioners, learned Government Pleader for Roads and Buildings appearing for the respondents 1, 3 & 4, learned Government Pleader for Revenue appearing for the respondents 2, 5 & 6, and of Sri *Ravi Cheemalapati*, learned Standing Counsel, appearing for the 7th respondent. I have perused the material record.

3. At the hearing, learned counsel for the petitioners would submit that if a direction is given to the respondents not to interfere with the possessions of the 13 shops of the petitioners, except by following the procedure established by law, the ends of justice would be met.

4. Learned Government Pleader for Roads and Buildings appearing for the Respondents 1, 3 & 4 and the learned Government

Pleader for Revenue appearing for the respondents 2, 5 & 6 endorsed the said submissions.

5. Having regard to the facts and submissions, this Writ Petition is disposed of directing the respondents not to interfere with or demolish the subject shops of the petitioners, except by following the procedure established by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

There shall be no order as to costs.

JUSTICE M. SEETHARAMA MURTI

Date: 22nd December, 2017

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