

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.38760 of 2017

ORDER:

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

“It is therefore humbly prayed by the petitioner herein that the Hon’ble High Court may be pleased to issue a writ or order or direction more in the nature of writ of MANDAMUS declaring the action of respondents 1 to 6 herein in trying to acquire and demolish without issuing any notification for land acquisition petitioner's House property bearing Door. No.9/99 with four shops in the ground floor bearing Shop Numbers number 9/111/2 (street facing) and 9/111/3 to 9/111/5 facing Kanchili to Baruva Road and residential house in the 1st floor with door.NO.9/1111/1 situated in Veeriah Veedhi, of Sompeta, and adjacent to Kanchili to Baruva road which passes through Sompeta, as illegal and null and void and without authority of law and violative of Article 21 and 300A of The Constitution of India and consequentially direct the respondents not to dispossess and demolish the above said shops and residential house in the 1st floor of the petitioner herein in the interest of justice and equity and to pass such other or further orders as the Hon'ble High court may deem fit and proper.”

[Reproduced verbatim]

2. I have heard the submissions of Sri K. Manik Prabhu, learned counsel appearing for the petitioner, the learned Government Pleader for Roads and Buildings appearing for the respondents 1 to 4, and of the learned Government Pleader for Revenue appearing for the respondents 5 & 6. I have perused the material record.

3. At the hearing, learned counsel for the petitioner and the learned Government Pleaders would submit that if the writ petition is disposed of directing the official respondents to follow the procedure established by law, the ends of justice would be met.

4. Recording the submissions, the Writ Petition is disposed of directing the respondents 1 to 7 not to interfere with or demolish the subject property of the petitioner, except by following the procedure established by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE M. SEETHARAMA MURTI

Date: 19th December, 2017

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