

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.38361 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking verbatim the following relief/ s:

“..to issue writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondents 2 & 3 in proposing to demolish the compound wall and structures at property bearing door No.5-142 of Chelluru Village, Rayavaram Mandal, East Godavari District without recourse to law as illegal, arbitrary, and violative of principles of natural justice consequently directing the respondents not to interfere with the petitioners possession and enjoyment of the said property or meddle with the same in any respect and pass such other order or orders.’

I have heard the submissions of the learned counsel appearing for the petitioners and of the learned Assistant Government Pleader representing the respondents. I have perused the material record.

At the hearing, learned counsel for the petitioners would submit that if a direction is given to the respondents to follow the procedure established by law before taking any coercive action with regard to compound wall of the subject property of the petitioner, the ends of justice would be met.

Learned Assistant Government Pleader would submit that the respondents would follow the procedure established by law before taking any action for demolition of the compound wall which is constructed by encroaching the road.

Recording the afore-said submissions, the Writ Petition is disposed of directing the respondents not to interfere with or demolish the compound wall of the subject property of the petitioner except by following the procedure established by law.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

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M. SEETHARAMA MURTI, J

14.11.2017

Note:- Issue CC by 15.11.2017

(B/o)

VJI

