

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.37845 OF 2017

ORDER:

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

“... to issue a Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS declare the action of the respondents more particularly the 5th respondent in trying to interfere with my peaceful possession and enjoyment of Ac 0 - 46 cents in S.No. 116 of Pernamitta village, Santhanuthalapadu Mandal, Prakasam District without completing the survey and high handily laying a road without following the due process of law or by paying compensation as per the provisions of the Land Acquisition Act as illegal, arbitrary and unjust and pass such other order or orders as this Hon'ble court deems fit and proper as otherwise the petitioner herein will suffer irreparable loss and injury.”

2. I have heard the submissions of the learned counsel for petitioner and the learned Standing Counsel appearing for respondent No.5. I have perused the material record.

3. The only grievance of the writ petitioner is that the respondents are trying to lay a road in the subject property without following the procedure established by law.

4. Learned counsel for the petitioner would submit that if a direction is given to the respondents to follow the procedure established by law before taking any coercive action in respect of the subject property of the petitioner, the ends of justice would be met.

5. Learned Standing Counsel appearing for respondent No.5 would submit that the respondent authorities would follow the procedure established by law before taking any action in respect of the subject property of the petitioner.

6. Recording the submissions, the Writ Petition is disposed of directing the respondents not to interfere with the possession of the petitioner in respect of the subject property in any manner, except in strict accordance with the procedure established by law.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

There shall be no order as to costs.

November 10, 2017

Note: Issue C.C. by 13.11.2017.
B/o.MD

M.SEETHARAMA MURTI, J

