

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.37164 OF 2017

ORDER:

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

“... to pass an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in proposing to widen the existing 50" road of Prakasam High Road i.e., New Collectorate to Venkusa Kalyana mandapam, Chittoor, as 100" road, without giving any notices to the petitioners, thereby contemplating to demolish the properties of the petitioners lying on either side of the Prakasam High Road i.e., New Collectorate to Venkusa Kalyanamandapam to the existing 50" road, without following the due process of law and without any payment of just and fair compensation as per the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is highly illegal, arbitrary, unjust , void and unconstitutional and consequently direct the respondents to follow the due process of law and initiate action as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and pass such other order or orders as are deemed fit and proper in the circumstances of the case.”

2. At the hearing, learned counsel for the petitioners submits that this Court, by order, dated 10.03.2017, disposed of W.P.No.8177 of 2017, wherein the facts are identical to this Writ Petition; and, that if this Writ Petition is also disposed of by passing a similar order, the grievance of the petitioners would be redressed.

3. *Sri S.D. Gowd*, learned Standing Counsel appearing for respondent No.2, endorses the said submission.

4. Recording the submissions, the Writ Petition is disposed of directing the respondents not to interfere with the subject properties of the petitioners in any manner, except by following the procedure established by law, in case, the subject properties are required for any public purpose. It is made clear that this order will not preclude the respondents from proceeding in accordance with law.

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

There shall be no order as to costs.

November 07, 2017
MD

M.SEETHARAMA MURTI, J

