

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.38389 of 2017

ORDER:

This writ petition is filed seeking the following relief:

“..to issue an appropriate writ, order or direction particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in trying to encroach/acquire the petitioner's land in D.No.68/1, situated abutting the 60 ft. road from J.K.C. College to Gollavariapalem, Koratipadu Village, Guntur Urban, without following the procedure established under law as illegal, violation of principles of natural justice, violative of Articles 14, 19(1)(g), 21 and 300-A of the Constitution of India besides and contrary to the provisions of the Hyderabad Municipal Corporation Act and consequently direct the 2nd respondent to forebear from encroaching onto the petitioner's land and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

I have heard learned counsel for the petitioner and learned Standing Counsel appearing for the second respondent-Municipal Corporation. I have perused the material record.

At the hearing, learned counsel for the petitioner submits that if a direction is given to the second respondent – Municipal Corporation not to interfere with or demolish the property of the petitioner without following the procedure established by law, the ends of justice would be met.

Learned Standing Counsel appearing for the second respondent – Municipal Corporation would submit that the Corporation would follow the procedure established by law if the entire property of the petitioner or a portion thereof is required for road widening.

Recording the submissions, the writ petition is disposed of directing the second respondent not to interfere with the subject property in any

manner or demolish the same 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.

M. SEETHARAMA MURTI, J

Date: 16.11.2017

Note: Issue CC in two days

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