

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.40178 of 2017

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus, declaring the action of the respondents in trying to disposses/demolish the house bearing H.Nos. 4/534 situated in Ward No 4 at Super Bazar Road which is also known as Venkateswarlu Kotala Road in Sy No 400 of Proddatur Village fields, Proddatur Town, Kadapa District without issuing any notice or initiating acquisition or requisition proceedings as being illegal, arbitrary, unjust, improper and is in negation of the established Judicial Precedents besides in violation of Articles 21 and 300-A of the Constitution of India apart from in violation of principles of natural justice and fair play, consequently direct the respondents not to demolish the aforesaid house without following the due process of law and pass such other order or orders may deem fit and proper.”

(Reproduced verbatim)

2. I have heard the submissions of Sri *V. Nitesh*, learned counsel appearing for the petitioner, learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent, and of Sri *M.D. Saleem*, learned Standing Counsel appearing for the respondents 2 & 3. I have perused the material record.

3. The only grievance of the writ petitioner is that for the purpose of road widening, markings are made on the subject property of the petitioner and that there is a threat of demolition of the property to the marked extent, even without a notice or following the procedure established by law.

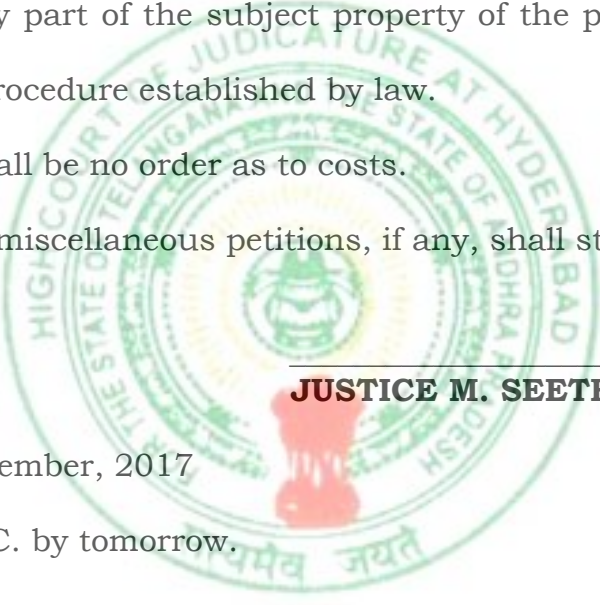
4. Learned counsel for the petitioner would submit that if the writ petition is disposed of directing the respondents not to interfere with the property or demolish the property of the petitioner without following the procedure established by law, the ends of justice would be met.

5. Learned Standing Counsel appearing for the respondents 2 & 3 endorses the said submission.

6. Recording the submission, the Writ Petition is disposed of directing the respondents not to interfere with or demolish the subject property or any part of the subject property of the petitioner without following the procedure established by law.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.



JUSTICE M. SEETHARAMA MURTI

Date: 29th November, 2017

Note: Issue C.C. by tomorrow.

(B/o.)
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19

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