

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.42411 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 therefore humbly 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 dispossess/demolish the two House Properties bearing Door Nos. 6/568 (old no. 3/385 or 6/239) and 6/569 (old no. 6/240), Ward No.6 at Arts College Road, Sree Ramulu Peta situated within Municipal limits, Proddatur Town, Kadapa District of Petitioner herein respectively, 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 the principles of natural justice and fair play, consequently direct the respondents not to demolish the aforementioned building properties without following the due process of law and pass such other order or orders may deem fit and proper in the circumstances of the case in the interest of Justice.”

2. I have heard the submissions of Sri *G.Ravi Kumar Goud*, learned counsel appearing for the petitioner, the 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. At the time of hearing, learned counsel appearing for both the parties are in agreement that the issue involved in the present writ petition is squarely covered by the orders of this Court, dated 27.07.2017, in W.P.No.24819 of 2017.

4. In view of the submissions and the earlier orders of this Court and for the reasons alike as were mentioned in the earlier orders of this Court in the afore-stated writ petition, this Writ Petition is disposed of in terms thereof directing the respondents to follow the due process of law, in the event the petitioner's land is required to be acquired for public purpose and accordingly pay appropriate compensation to the petitioner.

Office is directed to enclose a copy of the order, dated 27.07.2017, passed in W.P.No.24819 of 2017, to this order.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

Date: 15th December, 2017

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