

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.40935 of 2017

ORDER:

This writ petition is filed seeking verbatim the following relief/s:

‘.. to issue a Writ or order or direction more particularly in the nature of Writ of Mandamus, declaring the proposed action of the respondents in demolishing the houses/properties of the petitioners bearing D.Nos.3-128, 3-125, 3-48, respectively, situated at Meda Street, Kalyandurgam, Anantapur District without due process of law is as illegal, null and void and violative of Articles 19 and 21 of Constitution of India and violative of principles of natural justice and for a consequential order directing the respondents to drop all further proceedings in this regard and pass such other order or orders may deem fit and proper in the circumstances of the case.’

2. I have heard the submissions of the learned counsel for the petitioners and of the learned Standing Counsel representing the 5th respondent Municipality. I have perused the material record.

3. At the hearing, learned counsel for the petitioners and the learned standing counsel representing the 5th respondent Municipality would submit that the issue covered by the present writ petition is squarely covered by the orders, dated 16.10.2017, of this Court, in W.P.No.36462 of 2017. A copy of the said order is placed on record.

4. Having regard to the facts and submissions and for the reasons alike as were mentioned in the afore-stated order in the above said writ petition, this Writ Petition is disposed of directing the respondents not to demolish the structures of the petitioners in the subject properties 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

04.12.2017
Vjl