

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.42155 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, the petitioner herein pray that this Hon’ble High 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 attempting to demolish the house of the petitioner bearing door No. 22-424/2, Chittoor - Tirupati Road, Kattamanchi, Chittoor city and district without following the procedure laid down under The Right to Fair Compensation, Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as illegal, unjust, arbitrary, high handed, mala fide, against Art.300A of the Constitution of India and consequently direct the respondents not to demolish the petitioner's house bearing door No. 22-424/2, Chittoor - Tirupati Road, Kattamanchi, Chittoor city and district without following due of process of law and pass such other order or orders as this Hon'ble High Court may deem fit and proper in the circumstances of the case.”

[Reproduced verbatim]

2. I have heard the submissions of Sri *L.J.Veera Reddy*, learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent, the learned Government Pleader for Revenue appearing for the 2nd respondent, and of Sri *S.D.Goud*, learned Standing Counsel appearing for the 3rd respondent Municipal Corporation. I have perused the material record.

3. At the hearing, learned counsel for the petitioner would submit that if the 3rd respondent Municipal Corporation is directed to follow the procedure established by law before taking any action in respect

of the subject house property of the petitioner, the ends of justice would be met.

4. Learned Standing Counsel appearing for the 3rd respondent endorses the said submission.

5. Recording the submissions, the Writ Petition is disposed of directing the 3rd respondent Municipal Corporation not to interfere with, in any manner, the subject property of the petitioner, 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.

JUSTICE M. SEETHARAMA MURTI

Date: 18th December, 2017

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