

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Writ Petition No.43724 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking verbatim the following the relief:

“....to issue Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Respondents No.2 & 3 in resorting to demolish the petitioner buildings bearing D.No.15-2159 in an extent of 59.44 Sq.Yards and another building bearing D.No.15-2160 in an extent of 22.22 Sq.Yards in Sy.No.728-1 & 728-2A situated at Chittoor to Vellore Road within the limits of Chittoor Municipality, Chittoor Mandal, Chittoor District without issuing any notice, opportunity and without following the due procedure established by law, as illegal, arbitrary and unconstitutional and consequently direct the Respondent No.2 & 3 not to demolish or interfere with the possession and enjoyment of the Petitioner's aforesaid two buildings without following the procedure established under Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and **Resettlement** Act, 2013, and pass such order or orders....’

At the hearing, learned counsel for the petitioner would submit that if the respondents are directed to not to interfere with or demolish any part of the subject properties of the petitioner except by following the procedure established by law, the ends of justice would be met and the grievance of the petitioner would stand redressed.

Learned standing counsel representing the 2nd respondent endorses the said submissions.

Having regard to the facts and recording the afore-said submissions, the Writ Petition is disposed of directing the respondents not to interfere with or

demolish any part of the subject properties of the petitioner except by following the procedure established by law. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

M.SEETHARAMA MURTI, J

20.12.2017

Note: Issue CC by 21.12.2017.

[B/o]
Vjl

