

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.41293 of 2017

ORDER:

This writ petition is filed by the petitioners complaining against the action of the respondents 2 to 4 in demolishing the petitioners' property viz., one room, kitchen, lavatories and sump worth Rs.2,00,000/- as illegal, arbitrary and violative of principles of natural justice and the provisions of the Constitution of India. Further directions to the said respondents not to lay the road in front of the house of the petitioners bearing H.No.1-1-314, Siddhartha Nagar, Kazipet, Warangal District, and to pay Rs.2,00,000/- to the petitioners as damages, are also sought for.

At the hearing, learned counsel for the petitioners would submit in order to provide way/passage to a school of which the 4th respondent is the Headmaster, the property of the petitioners was high handedly demolished by the respondents 2 to 4 without following the procedure established by law.

Learned standing counsel representing the respondents 2 & 3 would submit that the allegation that the respondents 2 & 3 demolished the subject property of the petitioners is false and that in the event the Corporation intends to lay a road in the subject property of the petitioners, as stated in the writ petition, the Corporation would follow the procedure established by law.

The above submissions are recorded.

In reply, learned counsel for the petitioners would submit that if the writ petition is disposed of recording the submissions of the learned Standing Counsel, ends of justice would be met. However, since compensation is claimed in the writ petition and as the said issue requires adjudication, he seeks

liberty to file appropriate proceeding before an appropriate forum for the said relief.

Having regard to the facts and submissions, the Writ Petition is disposed of recording the submissions of the learned Standing Counsel that in the event the Corporation intends to lay a road in future, it would follow the procedure established by law. Liberty is reserved to the petitioners to claim damages, if so advised and if so desired, by following the procedure established by law.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

08.12.2017
Vjl



M.SEETHARAMA MURTI, J