

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.44384 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief:

“... to issue a Writ or Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in trying to demolish part of the petitioners buildings bearing D.No.19-3-42 & 43, 19-3-37/4, 19-2-74/1 to 74/8, 21/2-66/7 & 8, 21/2-71/C/1 & 2, 21/2-72 to 75, 19-3-7/1/1, 21/2-44 & 21/2-44/1, 19-8-33 to 38, 18-3-96/5 & 96/6, 19-3-42/A. 21-2-40, 21-2-171/2 to 171/4 respectively, situated adjoining the road of Markendeya Colony to Kalyan Nagar Chowrastha, Godhavari Khani Town of Ramagundam Municipal Corporation, Peddapalli District for the purpose of road widening without following due process of law as illegal, arbitrary and without jurisdiction and consequently direct the respondents not to interfere with the petitioners' peaceful possession and enjoyment of the above said houses/buildings and pass such other order or orders may deem fit and proper in the circumstances of the case.”

I have heard the submissions of Sri Raja Reddy Koneti, learned counsel appearing for the petitioners, and of Sri M. Bhagya Sri, learned standing counsel for Ramagundam Municipal Corporation representing the respondents 2 & 3. I have perused the material record.

At the hearing, learned counsel for the petitioners would submit that if a direction is given to the respondents 2 & 3 not to interfere with or demolish the subject properties of the petitioners except by following the procedure established by law, the ends of justice would be met.

Learned Standing Counsel would submit that the encroachments are already removed and that if any buildings or parts of buildings are to be removed, the respondents 2 & 3 would follow the procedure established by law.

Recording the afore-said submissions, the Writ Petition is disposed of directing the respondents 2 & 3 not to interfere with or demolish the subject properties or any part thereof of the petitioners except by following the procedure established by law. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

26.12.2017

Note: Issue CC tomorrow.

[B/o]

Vjl

M.SEETHARAMA MURTI, J

