

HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.25 of 2018

ORDER.

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

“.... to issue a writ, order or direction more particularly one in the nature of Writ of *Mandamus* declaring the action of respondent Nos.2 to 6 in marking the petitioners houses/shops bearing Door Nos.3-507, 3-490, 3-434, 3-435, 3-525, 3-519, 3-487, 3-514, 3-520, 4-760, 3-476, 1-98, 4-498, 3-540, 3-515, 3-539, 3-524, 3-525, 3-526, 4-768, 3-536, 3-506, 3-513, 3-528, 3-488, 3-482, 3-489, 3-491, 3-311, 3-486, 3-504, 3-479, 3-503, 3-404, 3-480, 3-499, 3-508, 2-468, 2-253, 3-523, 3-477, 4-763, 3-510, 3-478, 3-493, 3-541, 3-538, 3-550, 2-222, 3-492, 3-481, 3-531, 3-501, 3-502, 3-517, 3-530, 3-533, 3-518, 3-522, 4-764, 3-527, 3-521, 3-511, 3-483, 3-784 and 3-516 situated at Burja Village and Mandal, Srikakulam District without following due process of law as illegal, arbitrary and violative of right to property guaranteed under Article-300(A) of the Constitution of India and consequently, to direct the respondents not to demolish their houses without following due process of law as otherwise the petitioners suffer irreparable loss and injury.”

Learned counsel for the petitioners would submit that the officials of respondent Nos.2 to 6 made markings on the shops and houses, respectively, belonging to the petitioners for the

purpose of road widening and strengthening of the existing CSP road to Pedda Lankam via Burja road from KM 0/0 to 3/0 in Srikakulam District; that the properties of the petitioners are existing since a long time; that the above said work is already entrusted to respondent No.7; that at any moment, respondent Nos.2 to 6 are likely to start the demolition work; that before starting the demolition work, no notices were issued to the petitioners; and that their representation to the District Collector, Srikakulam District, and others is also not being considered and hence, the Writ Petition is filed. He would further submit that if respondent Nos.2 to 6-authorities are directed not to interfere with the said properties of the petitioners except by following the procedure established by law, the ends of justice would be met.

Learned Government Pleader for Roads and Buildings (Telangana) appearing for respondent Nos.1 to 6 would submit that there is neither date nor endorsement on the representation of the petitioners. However, respondent Nos.1 to 6 would follow the procedure established by law.

Recording the above submissions of the learned counsel, the Writ Petition is disposed of directing respondent Nos.1 to 6 not to interfere with the subject properties of the petitioners in

any manner except by following the procedure established by law.

As a sequel, the Miscellaneous Petitions, if any, pending shall stand dismissed.

JUSTICE M.SEETHARAMA MURTI

02nd January 2018

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