

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.660 of 2018

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Municipal Administration for respondent No.1, Sri Balaji Medamalli, learned Standing Counsel for respondent No.2 and Sri D.Ramesh, learned Standing Counsel for respondent No.3 offering to appear from the instructions and perused the prayer in the writ petition with supporting affidavit and other material on record.

2. The prayer in the writ petition reads as follows:

“.....to issue a Writ of Mandamus or any other appropriate Writ of Writs, Order or Orders declaring the action of Respondents in not considering the Memorandum of Representation dated 04.12.2017 submitted by the Petitioner in which requested them to stop the proposal of demolition of existing building/properties without initiating process of land acquisition in the name of widening MAHANADU Road running between NTR Health University and Auto Nagar, Vijayawada, Krishna District without following due process of law which is against to the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and the same is illegal, arbitrary, unjust and also in violation of Principles of Natural Justice and consequently direct the Respondents to stop the road widening work in due process of Law.”

3. Considering the same from hearing on 18.01.2018 itself, there was an interim direction given of if at all any acquisition is required, the respondents strictly follow the due process of law.

4. Having regard to the above, the writ petition is disposed of directing the respondents not to undertake any demolition by interference with the private property of the petitioners except through due process of law.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

Dr. B. SIVA SANKARA RAO, J

7th February 2018

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