

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.754 of 2018

ORDER:

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

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon’ble Court may be pleased to issue appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the 3rd respondent Municipality widening road taking possession of the lands in Sy.No.301/2 & 301/4 for an extent of 12 Feet situated at Korrapadu Road, Proddatur Town & Mandal, YSR Kadapa District as illegal and violative Article 19, 21 & 300-A of the Constitution of India in the interest of justice and pass such other order or orders as this Hon’ble Court may deems fit and proper in the circumstances of the case.”

(Reproduced verbatim)

2. I have heard the submissions of Sri *Chinthakunta Venkata Swamy*, learned counsel appearing for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent, Sri *M.D.Saleem*, learned Standing Counsel, appearing for the 2nd respondent, and of the learned Government Pleader for Revenue appearing for the respondents 3 & 4. I have perused the material record.

3. At the hearing, learned counsel appearing for the petitioner and Sri *M.D.Saleem*, learned Standing Counsel, appearing for the 2nd respondent are in agreement that the issue involved in the present writ petition is squarely covered by the orders of this Court, dated 27.07.2017, in W.P.No.24819 of 2017. A copy of the said order in the afore-stated writ petition is placed on record.

4. Having regard to the facts and submissions, this Writ Petition is disposed of in terms of the order, dated 27.07.2017, in W.P.No.24819 of 2017, which was passed following the terms of the order, dated 07.10.2015, passed by this Court in W.P.No.32679 of 2015, directing the respondents to follow the due process of law, if the petitioner's land is required to be acquired for public purpose and accordingly pay appropriate compensation to the petitioner.

Pending miscellaneous petitions, if any, shall stand closed.

There shall be no order as to costs.

M.SEETHARAMA MURTI, J

Date: 4th January, 2018

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