

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.1861 of 2018

ORDER:

Heard learned counsel for the petitioner and also learned Standing Counsel Sri Nimmagadda Venkateswarlu, who offers to appear from the instructions he obtained from respondent-Municipality and perused the prayer in the writ petition with the supporting affidavit and other material on record.

The prayer in the writ petition reads as follows:

“To issue a writ of mandamus or any other appropriate writ, order or direction declaring the action of the respondent municipality in making efforts to form a road through petitioner’s private site to an extent of 6.66 square yards in R.S.No.180/5, Yedida Chakradharnagar, Duddivari Agraharam, Amalapuram, East Godavari District, Andhra Pradesh without any notice and without due process of law as highly illegal, arbitrary and violative of Article 19 and 300-A of the Constitution of India and pass such other order or orders.”

It is the submission of the learned Standing Counsel for the respondent that whatever the demarcation is to identify the boundary line between the private property and the road and they are not taking any private property, if at all they followed due process of law.

By recording the same, the Writ Petition is disposed of with a direction to the respondent not to dispossess the petitioner from any private property except through due process of law.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 24.01.2018
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