

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.4064 of 2018

ORDER:

Heard the learned counsel for petitioners, the learned Government Pleader for R & B (A.P.) for the respondents 1 to 3 and Sri N.Praveen Kumar offers to appear as the Standing Counsel for respondent No.4 from the oral instructions and perused the prayer in the writ petition with supporting affidavit. The prayer in the writ petition is as follows:

“to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents herein in proposing to acquire the land and house building bearing Nos.9-3-1/ 1 consisting of Ground + 2 upper floors together with mulgies in front side of the building situated at Medak Road, Victory Talkies Chowrasta, Siddipet, owned and possessed by us, for the purpose of proposed 100’ feet road widening as against the existing road of 80’ feet, without adopting the due process of law by initiating any proceedings either under the provisions of the Land Acquisition Act, 2013 or any other law governing the situation, as illegal, arbitrary, high handed, unjust, unreasonable, without any sanction of law, against the spirit and object of provisions of the Act 13 of 2013 and violative of principles of natural justice, fair play and equity besides being infringement of fundamental and constitutional rights guaranteed under the Articles 14, 19, 21 & 300-A of the Constitution of India and consequently direct the respondents to desist permanently from adopting any unlawful and illegal acts of acquisition and demolition thereon.”

2. It is the submission of learned counsel for the petitioners in support of the prayer in the writ petition and also from the supporting affidavit that the respondents are

unauthorisedly trying to dispossess the petitioners from their property by taking law into their hands.

3. It is the submission of learned Government Pleader and the Standing Counsel for the respective respondents that the respondents are not interfering and if at all anything required for the widening of road, they follow due process of law.

4. Recording the said submissions of the learned Government Pleader and the Standing Counsel, this Writ Petition is disposed of directing the respondents not to interfere and dispossess the petitioners from their property except through due process of law.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

08.02.2018
MVA