

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7663 of 2018

ORDER:

The action of the respondent authorities in marking with red colour, the residential houses of the petitioners situated at Julapally Village, Kamanpur Mandal, Peddapally District, for demolition without initiating any proceedings or paying compensation under the provisions of the Right to Fair Compensation and Transparency in land Acquisition Rehabilitation and Resettlement Act, 2013 (in short "the Act"), is challenged in the present Writ Petition.

It is asserted in the Writ affidavit that the petitioners are the absolute owners of the residential houses bearing house Nos.4-70 and 3-50 situated at Julapally Village, Kamanpur Mandal, Peddapally District, which were constructed about 55 and 50 years back respectively during the lifetime of their respective fathers, and they have been in possession and enjoyment of the same by paying property tax to the grampanchayat. While the things stood thus, without issuing any Notification or paying compensation, on 27.02.2018, the respondent authorities came to their houses and marked their residential house with red colour proposing to demolish the extent of the length for the purpose of extension of the road. Hence, the Writ Petition.

Heard the learned counsel for the petitioners as well as Sri G. Narender Reddy, learned Standing Counsel for Gram Panchayat.

Prima facie, both the petitioners are in possession and enjoyment of the subject property by paying property taxes, to

their respective houses, to the Grampanchayat. Further, the assertion of the petitioners that the respondent authorities are proceeding to take up road widening work without initiating any proceedings under the Act has not been denied by the respondents. Therefore, the Writ Petition is disposed of with a direction to the respondent authorities to strictly adhere to the procedure prescribed under the 2013 Act. No costs.

Consequently, Miscellaneous Petitions pending, if any, in this Writ Petition, shall stand closed.

Date: 13.03.2018.

Ssv

CHALLA KODANDA RAM, J.

