

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

FRIDAY, THE TWENTY FOURTH DAY OF APRIL,
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WP .NO: 12180 of 2015

Between:

- 1 Kotapati Sreenivasulu s/o Kondaiah,
 - 2 Kotapati Rajendra s/o Peda Malakondaiah,
 - 3 Kotapati Prabhakar s/o Malakondaiah,
 - 4 Kotapati Gopal s/o Malakondaiah,
 - 5 Kotapati Malyadi s/o Kondaiah,
 - 6 Kotapati Peda Malakondaiah s/o Kondaiah,
 - 7 Kotapati China Malakondaiah s/o Kondaiah,
- All are r/o Motravulapadu village, Pamur Mandal, Prakasam District.

..... Petitioners

AND

- 1 The Union of India, rep. by its Secretary, Ministry of Road, Transport and Highways, New Delhi
- 2 The Regional Officer, Road, Transport and Highways, Erramanzil, Hyderabad.
- 3 The Executive Engineer, Road, Transport and Highways, Vijayawada.
- 4 The Divisional Engineer, Road, Transport and Highways, Bapatla, Guntur District.
- 5 The Superintending Engineer, Roads and Buildings, Prakasam District at Ongole.
- 6 The Executive Engineer, Roads and Buildings Kanigiri, Prakasam District.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue an appropriate Writ, order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondent authorities in marking only on one side of the lands in Sy.No. 92/2, 92/1, 92/1, 92/1, 92/1, 95/1 and 95/5 situated at Motravulapadu village, Pamur Mandal, Prakasam District with regard to the widen of the Highway road without following the uniformity, as being illegal, arbitrary and unconstitutional, and consequently direct the respondent authorities not to proceed with the widening of the Highway road at Motravulpaadu village, Pamur Mandal, Prakasam District, without following the due process of Law.

WPMP.NO: 16070 of 2015

Petition under Section 151 of C.P.C. Praying that in the circumstances

stated in the affidavit filed in the W.P., the High Court may be pleased to pass orders directing the Respondent authorities herein not to dispossess or in any manner interfere with the peaceful possession and enjoyment of the Petitioners in respect of the lands in Sy.No.92/2, 92/1, 92/1, 92/1, 92/1, 95/1 and 95/5 respectively situated at Motravulapadu Village, Pamur Mandal, Prakasam District, pending disposal of WP No.12180 of 2015 on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of Smt. A. Varalakshmi, Advocate for the Petitioners, Sri B. Narayana Reddy, Asst. Solicitor General for Respondent No.1 and G.P. for Transport (AP) for Respondent Nos.2 to 6, the Court made the following

Contd...2/P

ORDER:

At the request of learned GP post on 1-5-2015. In the meanwhile, there shall be interim direction as sought for.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Secretary, Ministry of Road, Transport and Highways, Union of India, New Delhi
- 2 The Regional Officer, Road, Transport and Highways, Erramanzil, Hyderabad.
- 3 The Executive Engineer, Road, Transport and Highways, Vijayawada.
- 4 The Divisional Engineer, Road, Transport and Highways, Bapatla, Guntur District.
- 5 The Superintending Engineer, Roads and Buildings, Prakasam District at Ongole.
- 6 The Executive Engineer, Roads and Buildings Kanigiri, Prakasam District.

(Addressees 1 to 6 BY RPAD)

- 7 One CC to Smt. A. Varalakshmi, Advocate (OPUC)
- 8 Two CCs to the G.P. for Transport (AP), High Court, Hyderabad. (OUT)
- 9 One spare copy.

nnr

HIGH COURT

AVSS,J

DATED: 24-4-2015

NOTE: Post on 01-5-2015

ORDER

W.P.NO. 12180 OF 2015

DIRECTION

HIGH COURT

Nnr

Date of Drafting : 25-04-2015

AVSS,J

DATED: 24-4-2015

NOTE: Post on 01-5-2015

ORDER

W.P.NO. 12180 OF 2015

DIRECTION