

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.8014 of 2018

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Municipal Administration for respondent No.1 and Sri Md.Saleem, learned Standing Counsel for respondent Nos.2 and 3 offering to appear from oral instructions and perused the prayer with supporting affidavit and other material on record.

2. The prayer in the writ petition reads as follows:

“.....to issue a writ order or direction more particularly one in the nature of writ of mandamus, declaring the action of the respondents in trying to dispossess/demolish the Hotel bearing D.No.7-11-92-1 with assessment No.104030928 situated in Korrapadu Road street, Proddatur Town and Municipality, Kadapa District, without issuing any notice or initiating acquisition or requisition proceedings as being illegal, arbitrary, unjust, improper and is in negation of the established judicial precedents besides in violation of Articles 21 and 300-A of the Constitution of India apart from in violation of principles of natural justice and fair play, consequently direct the respondents not to demolish the aforesaid house without following the due process of law and pass such other order or orders may deem fit and proper.”

3. It is the submission of the learned counsel for the petitioner from the writ petition affidavit in support of the prayer that the respondents marked the property and are trying to demolish by taking law to their hands without following due process of law. It is the

submission of learned Standing Counsel that they follow strictly due process of law contemplated.

4. Having regard to the above, the writ petition is disposed of restraining the respondents from demolition of the petitioner's private property without following any due process of law.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

Dr. B. SIVA SANKARA RAO, J

12th March 2018

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