

THE HONOURABLE Dr.JUSTICE B. SIVA SANKARA RAO

Writ Petition No.8434 of 2018

ORDER :

Heard the learned counsel for the petitioners and the learned Govt. Pleader for Municipal Administration for R.1 and Sri Md.Salseem, learned standing counsel for 2nd respondent-The Rayadurg Municipality and perused the prayer in the writ petition with supporting affidavit, and the material on record.

2. 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 2nd respondent in attempting to demolish the petitioner’s building D.No.8-1-345(1), B.T.P. Junction to Medara Street, Rayadurgam Town, Anantapur District for the purpose of road widening without issuing any notice and without following any procedure contemplated under law is illegal and arbitrary and consequentially direct the 2nd respondent not to demolish the petitioner’s building bearing D.No.8-1-345(1), B.T.P. Junction to Medara Street, Rayadurgam Town, Anantapur District forthwith and to pass such other order or orders.”

3. It is the supporting affidavit averment of the writ petitioners that the respondents are trying to take law into their hands without following due process of law under the guise of road widening to demolish the premises of the petitioners supra.

4. It is the submission of the learned standing counsel for 2nd respondent and the learned Govt. Pleader that the apprehension of the petitioners is baseless and that they if at all to acquire the private property of the petitioners for road widening, they follow due process of law.

5. By recording the above submission of the learned standing counsel and the learned Govt.Pleader, the Writ Petition is disposed of with a direction to the respondents not to interfere and dispossess the petitioners from their private property except through due process of law. Miscellaneous petitions, if any, pending shall stand closed.

Dr. B.SIVA SANKARA RAO J,

Date:14.03.2018
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