

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

Writ Petition No.8432 of 2018

ORDER :

Heard the learned counsel for the petitioners and the learned Govt. Pleader for Municipal Administration for R.1 and Sri D.Ramesh, learned standing counsel for 2nd respondent-The APCRDA offers to file appearance from oral instructions 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, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents interfering with the construction of the Petitioners in pursuance to the B.A.File No.1168/ 3359/ B/ PMLR/ PRNK/ 2017 in the property situated at D.No.15-194, Bandar Road, Poranki Village, Penamaluru Mandal as arbitrary and illegal and consequentially direct the Respondent No.2, not to interfere with the construction of the Petitioners in pursuance to the B.A.File No.1168/ 3359/ B/ PMLR/ PRNK/ 2017 in the property situated at D.No.15-194, Bandar Road, Poranki Village, Penamaluru mandal, without following due process of law, and pass such other order or orders.”

3. It is the supporting affidavit averment of the writ petitioners vis-à-vis oral submissions of the learned counsel for the petitioners that the respondents, despite there is approved plan in making the construction, are trying to demolish, without even giving any notice and without following due process of law as contemplated by the Act.

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

Date: 14.03.2018
vvr

Dr. B.SIVA SANKARA RAO J,

