

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.7324 of 2015

ORDER:

Heard learned counsel for the petitioner and learned Standing Counsel for the 4th respondent Sri SS Varma also learned Government Pleaders Revenue and R&B for respondent Nos.1 to 3 & 5 and perused the prayer in the writ petition with the supporting affidavit and annexed material on record.

The prayer in the writ petition reads as follows:

“To issue a writ of mandamus declaring that the action of the respondents in interfering with possession and enjoyment of petitioner’s property bearing No.2-266 on the main road of Chitrada Village, Pithapuram Mandal, East Godavari District and trying to demolish the same without issuing any notice or without initiating acquisition proceedings as arbitrary, illegal, untenable, unsustainable and in violation of Article 300A of the Constitution of India and consequentially direct not to interfere with the petitioner’s property without following due process of law and pass such other order or orders.”

It is the submission of the learned Government Pleader and the learned Standing Counsel for respondents supra that they are following due process of law and they are not taking the law into their hands.

Having regard to the above and by recording the same, the Writ Petition itself is disposed of that if at all any possession of the property of the petitioner is required, the respondents shall strictly follow due process of law in acquiring the same.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 18.01.2018
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