

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

Writ Petition No.4692 of 2015

Order:

This Writ Petition is filed to declare the action of the respondents 2 to 4 in interfering with the possession and enjoyment of the petitioners property admeasuring Ac.1.84 cents in RS No.466/4 of Perupalem village, Mogalthur Mandal, West Godavari district and laying road through part of the said land, as illegal and arbitrary.

The case of the petitioners is that they are the owners of the subject land and the eastern boundary of the said land is Sarkar Puntha passing from K.P. Palem High School to the Beach; the said puntha was converted into a road about few years ago and now steps are being taken to widen the said road by the R & B authorities; they visited the said site on 22.02.2015, measured the same and put up identification marks for widening the road and as per the identification marks the petitioners have to forgo 30 coconut trees and 25 cents of land.

This Court, on 26.02.2015, granted an interim order directing the respondents 2 to 4 not to interfere or lay road through petitioners property.

No counter affidavit has been filed by the respondents.

Having regard to the facts and circumstances of the case, the Writ Petition is disposed of directing the respondents to follow the procedure as contemplated under law, if they want to lay the road through the property of the petitioners. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

KONGARA VIJAYA LAKSHMI, J.

Date: 11.12.2018
Nsr

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI



Writ Petition No.4692 of 2015

Date: 11.12.2018

Nsr