

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.22294 OF 2018

ORDER:

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in trying to interfere with the possession of the petitioner of the house bearing No. 1-61 (Old), New No. 1-62, situated at Rayalapeta Village, Peddapanjani Mandal, Chittoor District, for the purpose of road widening, without following due process of law, as illegal, arbitrary and improper.

2. By an order dated 02.07.2018, this Court granted status quo as on that date to be maintained with regard to the subject property.

3. A vacate stay petition came to be filed by the respondents, in which they have admitted that the petitioner is in possession of the subject property. However, it is stated that at present, the stretch of land claimed to be in possession of the petitioner, i.e., from Km. 6/ 600 to 7/ 000 (400 meters) Rayalpeta town is not under the scope of widening, and if there is any proposal for widening, the land of the petitioner would be taken only in accordance with the procedure established by law.

4. Recording the same, the present writ petition is disposed of at the admission stage, reiterating that any action taken by the respondents, shall only be in accordance with the procedure established by law. No order as to costs.

5. As a sequel to disposal of the writ petition, miscellaneous petitions pending, if any, shall stand closed.

26.10.2018
DMG

C. PRAVEEN KUMAR, J

