

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.41248 OF 2018

Date: 20.11.2018

Between:

Mynam Lakshmi w/o. late Mynam Kodandaram,
Aged about 47 years, r/o.Dubacherla village,
Nallajarla Mandal, West Godavari district.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its
Prl.Secretary, Panchayat Raj Department,
Secretariat Buildings, Amaravathi,
Guntur district and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to be the owner of property bearing Door No.3-312/A, admeasuring 194 square yards in R.S.No.850/5B, situated at Dubacherla village. Petitioner alleges that respondent-Gram Panchayat is threatening to dispossess the petitioner and demolish the building constructed for the purpose of shopping complex without following due process and the same is illegal.

2. On instructions, learned standing counsel would submit, firstly that the property claimed by petitioner is not private property and petitioner do not have any title to the property claimed by her and it belongs to Gram Panchayat. He would also submit that the National Highway Authority of India proposed to extend the existing road from 4-line to 6-line from Gundugolanu to Kovvur stretching about 70 KMs and in the process of widening of road, they have marked properties coming in the way of such widening, including the property claimed by the petitioner, and Gram Panchayat has not taken steps to dispossess the petitioner and demolish the structures standing on the said property.

3. In view of the said statement, Writ Petition is disposed of holding that respondent-Gram Panchayat cannot dispossess the petitioner and demolish the structures standing on the said property without following due process if the property is claimed by the Gram Panchayat or said property is required by the Gram Panchayat. If the National Highway Authority takes any steps for widening of the road, it is open to petitioner to work out his remedies as and when such acquisition proceedings take place. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 20.11.2018

Note: Issue C.C. in two days.

(b/o.)

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