

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.45520 OF 2018

ORDER:

The present writ petition came to be filed seeking to direct the respondents not to disturb the peaceful possession of the house property of the petitioners situated at H.No.18-40-56, Redlabazar, 1st lane, Sangadigunta, Powerpet, Guntur District, without following due process of law.

It is the case of the petitioners that the 2nd petitioner has purchased an extent of 240 sq.yards of land in Ward No.9, Block No.10 vide document dated 24.2.1996 from one Rekapalli Nagamanemma and having attained an extent of 56 sq.yards of land, the petitioners have made an application to construct a house under N.T.R housing scheme to the A.P. State Housing Corporation along with the enjoyment certificate granted by the Tahsildar, Guntur dated 11.1.2014 and the same was approved by the Deputy Executive Engineer, A.P. State Housing Corporation, Guntur, vide proceedings dated 19.12.2016. Having received the same, the petitioners have commenced the construction in the month of February, 2017 and has completed the construction of the house. While things stood thus, the respondent-authorities are making attempts to demolish the subject house without issuing any notice to the petitioners herein. Hence, the present writ petition.

While denying the averments made in the writ affidavit, the learned Standing Counsel for the 2nd respondent, would submit that any action to be taken by the respondent-authority against the subject property of the petitioner, would only be in accordance with the procedure established under law.

A perusal of the material available on record, would make it clear that on an apprehension that the subject building is likely to be demolished, the present writ petition came to be filed.

Be that as it may and in view of the statement made by the learned Standing Counsel for the 2nd respondent, the writ petition is disposed of directing the respondent-authorities to follow due process of law, in case any action is to be taken by the respondent-authorities for demolition or removal of the subject building. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:14.12.2018.
Gk

C. PRAVEEN KUMAR, J



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