

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.45104 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue a Writ or Order or direction more particularly in the nature of Writ of Mandamus, declaring the action of the respondents in trying to demolish part of the petitioners buildings bearing D.No. 21-2-45/4 to 47/7-13 and 21-2-47/4, 18-3-85/2 & 3, 21-2-39, 21-2-30, 19-2-56 & 21-2-156/5, 21-2-111/2/1, 21-2-148/1, 21-2-47/7/C, 19-1-114/1, 21-2-142, 19-2-4/B, 21-2-144, 21-2-47/B/1 & 2 & 3, 21-2-66/2, 21-2-47/7, 21-2-119/1 & 2, 21-2-119, 19-1-98/2, 21-2-87, 19-1-99/1, 21-2-66/7, 21-2-46/A/1, 19-1-100/1 respectively, situated adjoining the road of Markendeya Colony to Kalyan Nagar Chowrastra, Godhavari Khani Town of Ramagundam Municipal Corporation, Peddapalli District for the purpose of road widening without following due process of law as illegal, arbitrary and without jurisdiction and consequently direct the respondents not to interfere with the petitioners’ peaceful possession and enjoyment of the above said houses/buildings and pass such other order or orders may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of Sri *Raja Reddy Koneti*, learned counsel appearing for the petitioners, learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent and of Smt. *M.Bhagya Sree*, learned Standing Counsel for Ramagundam Municipal Corporation, representing the respondents 2 & 3. I have perused the material record.

3. At the hearing, learned counsel for the petitioners would submit that if a direction is given to the respondents 2 & 3 not to interfere with or demolish the subject properties of the petitioners, except by following the procedure established by law, the ends of justice would be met.

4. Learned Standing Counsel for the respondents 2 & 3 would submit that the encroachments are already removed and that if any buildings or parts of buildings are to be removed, the respondents 2 & 3 would follow the procedure established by law.

5. Recording the afore-said submissions, the Writ Petition is disposed of directing the respondents 2 & 3 not to interfere with or demolish the subject properties or any part thereof of the petitioners, except by following the procedure established by law. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

M.SEETHARAMA MURTI, J

Date: 2nd January, 2018

Note: Issue C.C. in two (02) days.

(B/o.)
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