

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.5755 of 2019

ORDER

This writ petition is filed seeking to declare the action of the 2nd respondent in entering into the land of the petitioners by demolishing the existing compound wall situated in the open area of their house bearing No.10-1-32/33/1 situated at Barlipit Bazar Area, Kothagudem, Khammam District, as illegal and arbitrary.

2. The petitioners assert that they inherited the subject property during partition and that in 1997, they had purchased a saw mill, by name Sri Venkateswara Saw Mill, and shifted the same to the vacant space situated in the subject property surrounded by a compound wall, which was constructed several years ago. The petitioners have been paying tax to the house as well as the saw mill regularly. Petitioners further assert that on 13.03.2019, the authorities of the respondents Corporation had entered into their vacant land by demolishing the existing compound wall with the bulldozer and the tractor without issuing any notice to them in violation of Article 300-A of the Constitution of India.

3. When the matter came up for admission on 20.03.2019, learned Standing Counsel for the 2nd respondent was directed to get instructions. Today, when the matter is taken up, learned Standing Counsel, on instructions, submits that there is no proposal for

acquiring the land of the petitioners and there is no interference by the respondents without following due process of law.

4. In view of the aforesaid submission, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition directing the respondents not to interfere with the petitioners' property without following due process of law. No order as to costs.

5. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

26th March, 2018

CHALLA KODANDA RAM, J

sj

