

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.17279 of 2019

ORDER:

This writ petition is filed for the following relief:

“ ... to issue a writ, order or direction, more particularly one in the nature of a writ of mandamus, declaring the action of the respondents in taking steps to demolish the structures (Shops and houses) of the petitioners bearing Nos.1-2-143, 1-4-278/ 4/ 1/ 1, 1-4-258, 1-2-182, 1-4-269/ 3, 1-2-136/ 1, 1-4-249/ 169, 1-4-249/ 169/ 1, 1-2-145/ 2, 1-4-272, 1-2-216, 1-2-181, 1-2-192, 1-4-271/ 1, 1-2-181/ 1, 1-2-270/ 14/ 1, 1-2-162/ 5/ 3, 1-2-146/ A1, 1-2-146/ A2, 1-2-213/ A, 1-4-278/ 1, 1-4-278/ 2, 1-4-277, Shankar Villa Road, Suryapet, Suryapet District, Telangana, pending disposal of the above writ petition and pass such other order or orders as this Hon' ble Court may deem fit and proper ... ”

It is the assertion of the petitioners that they are owners of the aforestated properties, and the respondent authorities, in pursuance of the Draft Notification issued on 21.05.2018, are proposing to demolish their houses and properties, however, without ascertainment and payment of compensation, in accordance with law.

2. On the other hand, learned Standing Counsel, on specific instructions of the Commissioner, Suryapet Municipality, would submit that there is a proposal to acquire the land for the purpose of road widening, however, as of now, no demolition as such is proposed. It is further asserted that without acquisition of the properties either through negotiations or through the procedure prescribed under the Land Acquisition Act, no demolition shall be undertaken.

3. In those circumstances, the writ petition is disposed of with a direction to the respondent authorities not to interfere with the possession of the petitioners without following due process of law. It is made clear that if there

are any encroachments, it shall be open for the respondent-Municipality to remove the encroachments by following due process prescribed under law.

No costs. Miscellaneous petitions, if any pending, shall stand closed.

JUSTICE CHALLA KODANDA RAM

13th August, 2019

ksm



THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM



WRIT PETITION No.17279 of 2019

13th Aug. 2019

KSM