

THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.21938 of 2019

ORDER:

This writ petition is filed with the following prayer:

“....to issue a Writ order or orders, particularly one in the nature of Writ of Mandamus declaring the action of the respondents in proposing to widen the road from 12’ to 50’ feet road from Chityala to Mogulapalli of Chityala Mandal, Jayashankar Bhupalapally District effecting the petitioners land in Survey No.522/A/4 to an extent of Ac.0-02 ½ guntas, Survey No.522/A/7/2 to an extent of Ac.0-01 ½ guntas and Survey No.522/A to an extent of Ac.0-01 ¼ situated at Chityala Village and Mandal, Jayashankar Bhupalapally District without any proper marking and alignment and without issuing Notice and without initiating the Land Acquisition Proceedings and marking the road by only petitioners land side leaving the other side of the road by changing the straight alignment is arbitrary, illegal, discriminatory, unjust and in violation of Principles of Natural Justice and in violation of provisions under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) and rules thereunder and in violation of rights guaranteed under the Constitution of India and consequently direct respondents not to proceed for widening the proposed road of 12’ feet to 50’ feet road towards Chityala to Mogulapalli of Chityala Mandal, Jayashankar Bhupalapally District belongs to the petitioners and to pass any other order or orders appropriate in the case.”

2. Heard learned counsel for the petitioners, Sri G.Narender Reddy, learned Standing Counsel appearing for respondent Nos.4 and 9 and learned Assistant Government Pleader for Panchayat Raj and Roads and Buildings.

3. Learned Standing Counsel submits that the respondents will follow due procedure before taking any action against the property of the petitioners.

4. Recording the same, the writ petition is disposed of directing the respondents not to dispossess the petitioners from the subject property without following due process of law.

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

A. RAJASHEKER REDDY, J

1st October 2019

Note:

Issue C.C. in two days.

(b/o)
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