

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4981 of 2020

ORDER:

This writ petition is filed for the following relief:

“.....to issue a writ, order or Direction more particularly one in the nature of Writ of Mandamus declaring the act of Respondent Nos. 2 and 3 in demolishing the structure of the petitioners bearing municipal Nos. 2-1-20, 2-1-21, 2-1-22, 2-1-23, 2-1-23/1 2-1-24, 2-124/1, 2-1-25, 2-1-26, 2-1-27 and 2-1-28 admeasuring 775.86 square yards situated at Mahabubabad Town and Municipality Mahabubabad District without any notice and without payment of compensation is totally illegal, arbitrary, contrary to the law and against the principle of natural justice and thereby restraining them from interfering with the said property in any manner whatsoever without due process of law in the interest of justice...”

Today, learned Standing Counsel appearing for respondent No.2-Commissioner, Mahabubabad District has placed on record the written instructions, dated 05.03.2020, received from respondent No.2 and submitted that the property of the petitioners was earmarked for the purpose of road widening and that the petitioners have voluntarily removed the affected portion.

Inasmuch as the specific assertion of the petitioners that they were neither issued notice nor paid compensation is not contravened by respondent No.2 and as admittedly, the petitioners are the owners of the subject property, necessary steps shall be taken by respondent No.2 for payment of compensation with respect to the affected portion, in accordance with law. No further property of the petitioners shall be acquired by respondent No.2 without following due process of law. The entire exercise shall be

completed within a period of four weeks from the date of receipt of a copy of this order. Till then, *status quo* obtaining as on today shall be maintained by both the parties, except for removal of debris with respect to the already demolished portion.

Subject to the above, the writ petition is disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. There shall be no order as to costs.

Dt:05.03.2020

kdl

CHALLA KODANDA RAM, J



