

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.28185 of 2021

ORDER:

Heard Sri Rapolu Bhaskar, learned counsel for the petitioner, Sri N. Praveen Kumar, learned Standing counsel appearing for the 2nd respondent, learned Government Pleader for Revenue appearing for 3rd respondent and the learned Government Pleader for Municipal Administration appearing for 1st respondent. With their consent, this writ petition is disposed of, at the admission stage itself.

This writ petition is filed to declare the action of the respondents in trying to demolish the shops bearing No.1-8-45/1, 1-8-45/2, 1-8-45/3 and 1-8-45/4, situated at Gunj Main Road, Bhongir town, Yadadri Bhuvanagiri District, without giving opportunity of hearing and without initiating the proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act'), as illegal and sought for a consequential direction to respondents not to dispossess the petitioner without following due procedure laid down under law under the guise of road widening.

The petitioner herein claims to be the owner of the land and shops bearing H. No.1-8-45/1, 1-8-45/2, 1-8-45/3 and 1-8-45/4, situated at Gunj Main Road, Bhongir town, Yadadri Bhuvanagiri District. She has filed copies of sale deeds, municipal tax receipts, power bill receipts and also

photographs in proof of the same. Now, the grievance of the petitioner is that the respondent authorities without following the due procedure laid down under law including the procedure laid down under the Act are trying to demolish and dispossess the petitioner from the subject property.

On the other hand, Sri N. Praveen Kumar, learned Standing counsel appearing for the 2nd respondent, on instructions, would submit that the 2nd respondent will follow the due procedure laid down under law against the petitioner herein for removal of illegal encroachments.

In view of the above said submissions, this writ petition is disposed of directing the respondents 2 to 4 not to dispossess or demolish the shops of the petitioner without following the due procedure laid down under law. However, liberty is granted to respondents 2 to 4 to take action in accordance with law to remove the encroachments, if any, made by the petitioner.

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

10.11.2021
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K. LAKSHMAN, J

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