

**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

**WRIT PETITION No.40221 of 2012**

**ORDER:**

The writ petitioner is an educational institution situated at Visakapatnam City. It apprehends that the respondent-Greater Visakapatnam Municipal Corporation will demolish the existing structures and also take possession of the land belonging to the writ petitioner to a substantial extent of 1464.23 sq. yards situated in Sy.Nos.28 and 31, Plot Nos.11, 12 and 13, Sriharipuram, Gullalapalem village, Greater Visakhapatnam Municipal Corporation limits, without adhering to the principles of the law on this subject. The apprehension is aided because of the markings that have been noted on the premises of the writ petitioner's educational institution.

Sri N.Ranga Reddy, learned Standing counsel, who took notice on behalf of the respondent, would assure this Court that if the petitioner is not interested in giving its consent for acquisition of property, by negotiations, the respondent Corporation will take recourse to law and acquire the property in accordance with law and then alone, either demolish or take possession, even though there is urgency for the purpose of widening the existing 30 feet road.

In view of the assurance and also in view of the settled legal principle of law that if a citizen does not give consent for acquisition of any building or land belonging to him, he cannot be deprived of his right to hold property, otherwise in accordance with law, this writ petition is disposed of directing the respondent to take recourse to law and then alone dispossess or demolish the structures standing on the site in question belonging to the petitioner. No costs.

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**NOOTY RAMAMOHANA RAO, J**

Date:31-12-2012

Note:

Issue C.C. in two days

(B/o)

Prv

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