

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION No.15426 of 2022

ORDER:

The present writ petition is filed to declare the action of the respondent Nos.1 and 3 in demolishing the property of the petitioner bearing Dr.No.1-20, Pudimadaka, Achutapuram Mandal, Visakhapatnam District without following due process of law, as illegal and arbitrary

2. The case of the petitioner is that the petitioner has purchased the subject property by registered document bearing No.3288/2016 on 01.06.2016 and obtained all the permissions with regard to the construction and for electricity connections to the subject property. Surprisingly, on 20.05.2022 without issuing any notice, the respondent 1 and 3 came to the petitioner's property to demolish it.

3. It is the further case of the petitioner that as and when the acts of the respondents 1 and 3 aggravates, the village elders interfered and used to settle the issue and on 20.05.2022, the respondents 1 and 3 along with heavy machinery and men along with bulldozers tried to demolish the said property without any notice or intimation and only upon the intervention of village elders, they stepped back and proclaimed that they would demolish the said house in one way or other and on 23.05.2022, the respondents along with their men again tried to demolish the property and also threatened that they will not allow the petitioner to live in the village. The said action of the

respondents is illegal, unconstitutional and against the principles of natural justice. Hence, this writ petition has been filed.

4. On the other hand, learned Standing Counsel for the 1st respondent submitted that the respondent authorities would not take any action without following due process of law.

5. Taking into consideration the facts and circumstances of the case by recording the statement of the learned standing counsel for the 1st respondent and with the consent of the both the counsel, this writ petition is disposed of, directing the 1st respondent, not to interfere with the petitioner's subject property except under due process of law. No costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

Date: 26.05.2022

PGT

