

APHC010559572014



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3457]

MONDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 35993/2014

Between:

P. Penchalamma, (died) As Per L.rs P2 And P3 and Others ...**PETITIONER(S)**

AND

Prl Secy Mun Admn Dept Hyderabad 4 Others and ...**RESPONDENT(S)**
Others

Counsel for the Petitioner(S):

1.C SUBODH

Counsel for the Respondent(S):

1.GP FOR HOME (AP)

2.GP-MUNCIPAL ADMN AND URBAN DEV(AP)

3.A S C BOSE (SC FOR MUNICIPAL CORPORATIONS AP)

The Court made the following:

THE HON'BLE SRI JUSTICE HARINATH.N

WRIT PETITION No.35993 OF 2014

ORDER:

1. The petitioner apprehends the demolition and dispossession of the hospital building bearing D.No.23/1230-2 and medical shop bearing D.No.23/1230-1, GNT road, near RTC bus stand, Fathekhanpet, Nellore Municipal Corporation, SPSR Nellore District, for the purpose of road widening.
2. The learned counsel for the petitioner submits that, in the event the respondents intend to acquire the property of the petitioner, they must follow the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
3. The learned counsel further submits that the petitioner has passed away during the pendency of the writ petition and the petitioner's legal representatives have been brought on record.
4. This Court, by an order dated 25.11.2014, granted an interim direction as prayed for.
5. The learned Standing Counsel appearing for the respondents submits that the writ petition was filed based on a mere apprehension. It is submitted that the respondent authorities had initially intended to widen the road and had conducted a survey to that effect. However, the said proposal was later shelved. It is further submitted that, in the event any

fresh proposal for road widening is initiated, the respondents would follow the due process of law.

6. Considering the submissions made, the writ petition is disposed of in terms of the interim order dated 24.11.2014. It is made clear that the respondent authorities shall comply with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, if the property of petitioner is required for any public purpose. No costs.
7. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE HARINATH.N

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