

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.23474 OF 2022

ORDER:

The petitioner states that he is running his business in the shop buildings bearing Door No.2-959 and 2-960, situated at Alur village and Mandal of Kurnool District, which have been purchased by his father. He submits that respondent Nos.2 to 5 are now taking steps for road widening work on NH-167 Highway Road without initiating land acquisition proceedings and without paying compensation and widening the road only on the side where the petitioner's shop buildings are situated, without widening equally on either sides of the present existing road.

2. After some submissions have been made, all the counsels have agreed that the entire issue can be resolved once a proper survey is conducted and the respective plots of land can be identified.

3. In the circumstances, this Writ Petition is disposed of with the following directions:

1. The respondents are directed to conduct a survey to demarcate the existing road margins by taking the centre point of the road after affording an opportunity to the petitioner to participate in the survey to be conducted by the respondents;
2. If the petitioner is having any objection with regard to the alleged survey and the survey report, he is entitled to submit his objections;
3. The respondents are entitled to take appropriate action by following due process of law, if there is any encroachment of the Government land;
4. If there is no encroachment, the respondents shall follow due process of law if they intend to acquire the land of the petitioner by paying compensation.

As a sequel, interlocutory applications pending, if any, in this Writ Petition shall stand closed. There shall be no order as to costs of the Writ Petition.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 31.10.2022

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