

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.Nos.15022 of 2010 and 13411 of 2011

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COMMON ORDER:

Since the subject matter of these writ petitions is one and same, they are heard together and disposed of by this Common order.

These writ petitions are filed for a writ of mandamus, declaring the action of the respondent in taking steps to dispossess the petitioners from Shop No.9 and 14 respectively at Daily Market, Tatipaka Village, Razole Mandal, East Godavari District, as illegal and arbitrary.

The case of the petitioners is that they have been allotted and running shop Nos.14 and 9 since long back. While so, the respondent is trying to dispossess the petitioners from the said shops though they are paying rents regularly. Aggrieved by the same, the present writ petition is filed.

Counter is filed by the respondent stating that if the petitioners are aggrieved by the action of the respondent in dispossessing them without following due process of law, they can file an appeal before the Grampanchayat under Section 128 of Panchayat Raj Act.

Heard the learned counsel for the petitioner and Sri Ravi Cheemaplathi, learned Standing counsel for sole respondent.

Having admitted that petitioners were allotted shops and they are running the said shops, if the respondents sought to vacate them, they have to follow due procedure envisaged under Panchayat Raj Act and Rules made therein.

However, this Court granted the following interim order:

“Dispossession of the petitioners from Shop Nos.9 and 14 Daily Market, Thatipaka Panchayat, if

contemplated, shall be in accordance with due procedure laid down by law.”

Therefore, the writ petition is disposed of in terms of the interim order. Even, if the respondents want to lease out the shops by way of public auction, they have to follow due process of law. No costs.

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

A.RAJASHEKER

REDDY,J

Date: 07.10.2015

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