

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.6161 OF 2015

ORDER:

The grievance of the petitioners is that they are doing flowers business for the last 15 years in small sheds situated behind the shop rooms and the said shop rooms are opposite to Gandhi Statue, Old Town, Anantapur, and that they are doing the said business for eking out their livelihood. Respondents 2 and 3 herein suddenly warned the petitioners orally to pay a sum of Rs.6,000/- or else vacate the business premises within 24 hours without issuing any notice or giving any opportunity to the petitioners. When the petitioners expressed their inability to pay the said amount, respondents 2 and 3 threatened the petitioners to vacate the premises within 48 hours without following due process of law. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioners submitted that the petitioners are not encroachers and they are also granted trade licence and as such they are carrying on their businesses.

On the other hand, learned standing counsel Sri S.D.Goud, submits that the petitioners are encroaching the road margin and obstructing the road passers. In view of the same, action is being initiated for removal of encroachments. A perusal of the affidavit filed by the petitioners does not show that the petitioners are the owners of the site in which they are doing business. No doubt, a trade licence is granted to the petitioners, the petitioners are unable to say that what is the right accrued to them to do business in the site and they have not filed any document regarding their title or otherwise.

Learned counsel for the respondents submitted that the petitioners, by encroaching the road margin, are doing their business, and causing obstruction to the road passers. If that is the case, the petitioners cannot have any right to continue the business by encroaching the public road. In view of the same, I do

not see any merit in the writ petition and the same is liable to be dismissed.

Accordingly, writ petition is dismissed. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

18.03.2015

Rns

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Date: 18.03.2015

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