

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.9566 of 2015

Date: 08-04-2015

Between:

Yaragala Sulochanamma and 2 others

.. Petitioners

AND

The State of Andhra Pradesh, represented by its

Principal Secretary, Panchayat Raj & Rural

Development Department Secretariat,

Hyderabad and 4 others

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.9566 of 2015

ORDER:

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This writ petition is filed for a mandamus declaring the action of the respondents 3 and 4 in interfering with the petitioners' peaceful possession and enjoyment of the shop room constructed in an extent of 3/4th Ankanam/54 square feet situated at Ward No.10, Vegetable Market Street, Buchireddypalem village and Mandal, SPSR Nellore District dispossessing the petitioners from the shop room and demolishing the same as wholly illegal and without jurisdiction and for a consequential direction to the respondents not to interfere

or dispossess or demolish the shop rooms in the said premises.

2. The case of the petitioners is that they are all petty vendors doing various businesses in the small shops in between south compound wall of Panchayat Vegetable Market and New Gudipalli canal left bund, Buchireddypalem Gram Panchayat, village and Mandal, SPSR Nellore District leased out to them by the 4th respondent Panchayat. When the respondent Grampanchayat tried to vacate the petitioners, they filed W.P.No.6644 of 2014, which was disposed of on 07-03-2014 directing the respondents not to take coercive steps either to demolish the shop rooms or to dispossess the petitioners therefrom except in accordance with law. Now the grievance of the petitioners is that without following the due process of law, the respondent Grampanchayat issued the impugned notice dated 10-03-2015 pursuant to the orders in W.P.No.6644 of 2014 dated 07-03-2014. Even though they submitted their explanations to the said notice, the respondent Grampanchayat, without considering the same, is trying to remove the petitioners from the shops leased out to them. Aggrieved by the same, the present writ petition is filed.

3. Heard the learned counsel for the petitioners and Sri G. Seshadri, learned standing counsel for the respondent Grampanchayat, who submits that in pursuance of the order in W.P.No.6644 of 2014, the impugned notices were issued and that after considering their explanations, action will be initiated against them.

4. In view of the statement made by the learned standing counsel, the writ petition is disposed of with a direction that the Grampanchayat shall not dispossess the petitioners without considering their explanations. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 08-04-2015

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